

1 aggregate principal balance outstanding in each of these categories. BOAA 2005-5 Pros. Sup. S-
2 55.

3 (dd) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination
4 of the Mortgage Loans is expected to be approximately 73.16%." BOAA 2005-5 Pros. Sup. S-55.

5
6 **Item 62. Details of the results of the AVM analysis:**

7	Number of loans	1,353
8	Number of properties on which there was enough information for the model to determine a true market value	522
9	Number of loans on which the stated value was 105% or more of the true market value as reported by the model	216
10	Aggregate amount by which the stated values of those properties exceeded their true market values as reported by the model	\$8,033,776
11	Number of loans on which the stated value was 95% or less of the true market value as reported by the model	156
12	Aggregate amount by which the true market values of those properties exceed their stated values	\$7,869,873
13	Number of loans with LTVs over 100%, as stated by Defendants	8
14	Number of loans with LTVs over 100%, as determined by the model	28
15	Weighted-average LTV, as stated by Defendants	73.2%
16	Weighted-average LTV, as determined by the model	77.8%

17 **Item 71. Undisclosed additional liens:**

- 18 (a) Minimum number of properties with additional liens: 300
19 (b) Total reduction in equity from additional liens: \$11,726,167
20 (c) Weighted-average reduction in equity from additional liens: 92.4%

21 **Item 88. Untrue or misleading statements about owner-occupancy of the properties
that secured the mortgage loans:**

22 In the prospectus supplement, Banc of America and Banc of America Mortgage Securities
23 made the following statements about the occupancy status of the properties that secured the
24 mortgage loans in the collateral pool of this securitization.

- 25 (a) In "The Mortgage Pool" section of the prospectus supplement, described in Item
26 52, Banc of America and Banc of America Mortgage Securities presented a table entitled
27
28

1 "Occupancy of Mortgaged Properties." This table divided the mortgage loans in Group 1 into the
2 categories "Investor Property" and "Second Home." The table made untrue and misleading
3 statements about the number of mortgage loans, the aggregate principal balance outstanding, and
4 the percent of aggregate principal balance outstanding in each of these categories. BOAA 2005-5
5 Pros. Sup. S-28.

6
7 (b) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
8 America Mortgage Securities stated that 97.18% of the mortgage loans in Group 1 were secured
9 by an "Investor Property" and 2.82% by a "Second Home." BOAA 2005-5 Pros. Sup. S-28.

10 (c) In "The Mortgage Pool" section, Banc of America and Banc of America Mortgage
11 Securities presented another table entitled "Occupancy of Mortgaged Properties." This table
12 divided the mortgage loans in Group 2 into the categories "Investor Property" and "Second
13 Home." The table made untrue and misleading statements about the number of mortgage loans,
14 the aggregate principal balance outstanding, and the percent of aggregate principal balance
15 outstanding in each of these categories. BOAA 2005-5 Pros. Sup. S-33.

16
17 (d) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
18 America Mortgage Securities stated that 97.9% of the mortgage loans in Group 2 by an "Investor
19 Property" and 2.1% by a "Second Home." BOAA 2005-5 Pros. Sup. S-33.

20
21 (e) In "The Mortgage Pool" section, Banc of America and Banc of America Mortgage
22 Securities presented another table entitled "Occupancy of Mortgaged Properties." This table
23 stated that 100% of the mortgage loans in Group 3 were secured by a "Primary Residence."
24 BOAA 2005-5 Pros. Sup. S-38.

25 (f) "In "The Mortgage Pool" section, Banc of America and Banc of America
26 Mortgage Securities presented another table entitled "Occupancy of Mortgaged Properties." This
27 table divided the mortgage loans in Group 4 into the categories "Primary Residence," "Investor
28

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1 Property," and "Second Home." The table made untrue and misleading statements about the
2 number of mortgage loans, the aggregate principal balance outstanding, and the percent of
3 aggregate principal balance outstanding in each of these categories. BOAA 2005-5 Pros. Sup. S-
4 43.

5
6 (g) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
7 America Mortgage Securities stated that 7.88% of the mortgage loans in Group 4 were secured by
8 a "Primary Residence," 89.68% by an "Investor Property," and 2.44% by a "Second Home."
9 BOAA 2005-5 Pros. Sup. S-43.

10 (h) "In "The Mortgage Pool" section, Banc of America and Banc of America
11 Mortgage Securities presented another table entitled "Occupancy of Mortgaged Properties." This
12 table stated that the mortgage loans in Group 5 were secured by a "Primary Residence." BOAA
13 2005-5 Pros. Sup. S-48.

14
15 (i) "In "The Mortgage Pool" section, Banc of America and Banc of America
16 Mortgage Securities presented another table entitled "Occupancy of Mortgaged Properties." This
17 table divided all of the mortgage loans in the collateral pool into the categories "Primary
18 Residence," "Investor Property," and "Second Home." The table made untrue and misleading
19 statements about the number of mortgage loans, the aggregate principal balance outstanding, and
20 the percent of aggregate principal balance outstanding in each of these categories. BOAA 2005-5
21 Pros. Sup. S-53.

22
23 (j) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
24 America Mortgage Securities stated that 47.11% of the mortgage loans in the collateral pool were
25 secured by a "Primary Residence," 51.6% by an "Investor Property," and 1.3% by a "Second
26 Home." BOAA 2005-5 Pros. Sup. S-53.
27
28

1 **Item 96. Details of properties that were stated to be owner-occupied, but were not:**

- 2 (a) **Number of loans on which the owner of the property instructed tax**
3 **authorities to send property tax bills to him or her at a different address: 35**
- 4 (b) **Number of loans on which the owner of the property could have, but did not,**
5 **designate the property as his or her homestead: 63**
- 6 (c) **Number of loans on which the owner of the property owned three or more**
7 **properties: 1**
- 8 (d) **Eliminating duplicates, number of loans about which one or more of**
9 **statements (a) through (c) is true: 87**

10 **Item 99. Untrue or misleading statements about the underwriting standards of the**
11 **originators of the mortgage loans:**

12 On pages 24 through 28 of the prospectus, Banc of America made statements about the
13 underwriting guidelines of Bank of America, N.A. All of those statements are incorporated herein
14 by reference. In particular, Banc of America stated that:

15 (a) "Bank of America will consider a mortgage loan to be originated in accordance
16 with a given set of guidelines if, based on an overall qualitative evaluation, the loan is in
17 substantial compliance with such underwriting guidelines. Even if one or more specific criteria
18 included in such underwriting guidelines were not satisfied, if other factors compensated for the
19 standards that were not satisfied, the mortgage loan may be considered to be in substantial
20 compliance with the underwriting guidelines." BOAA 2005-5 Pros. 24.

21 (b) "These underwriting standards applied by Bank of America in originating or
22 acquiring mortgage loans are intended to evaluate the applicants' repayment ability, credit
23 standing and assets available for downpayment, closing costs and cash reserves. Additionally,
24 guidelines are established regarding the adequacy of the property as collateral for the loan
25 requested." BOAA 2005-5 Pros. 24.

26 **Item 106. Early payment defaults:**

- 27 (a) **Number of the mortgage loans that suffered EPDs: 3**
28

(b) Percent of the mortgage loans that suffered EPDs: 0.2%

(c) Percent of all securitized, non-agency prime (including Alt-A) mortgage loans made at the same time as the loans in the collateral pool that experienced EPDs: 0.18%

Item 117. Statements about the ratings of the certificate(s) that the Bank purchased:

On pages S-4 to S-5 and S-113 of the prospectus supplement Banc of America and Banc of America Mortgage Securities made statements about the ratings assigned to the certificate issued in this securitization. Banc of America and Banc of America Mortgage Securities stated that the Bank's certificate was rated Aaa by Moody's Investors Service, Inc. and AAA by Fitch Ratings. These were the highest ratings available from these two rating agencies.

Banc of America and Banc of America Mortgage Securities also stated: "At their issuance, each class of Offered Certificates is required to receive from Moody's Investors Service, Inc. (Moody's) and Fitch Ratings ("Fitch") at least the rating set forth in . . . this Prospectus Supplement." BOAA 2005-5 Pros. Sup. S-113.

Item 120. Summary of loans about which the Defendants made untrue or misleading statements:

(a) Number of loans whose LTVs were materially understated: 216

(b) Number of loans in which the owner's equity was reduced by 5% or more by undisclosed additional liens: 300

(c) Number of loans that suffered EPDs: 3

(d) Number of loans in which the properties were stated to be owner-occupied but were not: 87

(e) Eliminating duplicates, number of loans about which the Defendants made untrue or misleading statements: 475

(f) Eliminating duplicates, percent of loans about which the Defendants made untrue or misleading statements: 35.1%

SCHEDULE 70 TO THE AMENDED COMPLAINT

To the extent that this Schedule is incorporated by reference into allegations in the complaint, those allegations are made against Defendants Banc of America and Banc of America Mortgage Securities.

Item 44. Details of trust and certificate(s).

(a) Dealer that sold the certificate(s) to the Bank: Banc of America.

(b) Description of the trust: Banc of America Alternative Loan Trust, Mortgage Pass-Through Certificates, Series 2005-2 was a securitization in February 2005 of 1,824 mortgage loans, in four groups. The mortgage loans in the collateral pool of this securitization were originated or acquired by Bank of America, N.A. BOAA 2005-2 Pros. Sup. S-6 and S-23.

(c) Description of the certificate(s) that the Bank purchased: Banc of America offered and sold to the Bank a senior certificate in this securitization, in tranche 1-CB-2, for which the Bank paid \$60,467,626 plus accrued interest on April 29, 2005.

(d) Ratings of the certificate(s) when the Bank purchased them: Moody's • Aaa; Fitch • AAA.

(e) Current ratings of the certificate(s): Moody's • Caa1; Fitch • BB.

(f) URL of prospectus supplement for this securitization:

<http://www.sec.gov/Archives/edgar/data/1207409/000119312505034840/d424b5.htm>

Item 52. Untrue or misleading statements about the LTVs of the mortgage loans:

In the prospectus supplement, Banc of America and Banc of America Mortgage Securities made the following statements about the LTVs of the mortgage loans in the collateral pool of this securitization.

(a) The original LTVs of the mortgage loans in Group 1 ranged from 11.61% to 103%, with a weighted average of 72.63%. BOAA 2005-2 Pros. Sup. S-7 and S-25.

- 1 (b) The original LTVs of the mortgage loans in Group 2 ranged from 13.47% to
2 103%, with a weighted average of 74.08%. BOAA 2005-2 Pros. Sup. S-7 and S-30.
- 3 (c) The original LTVs of the mortgage loans in Group 3 ranged from 18.39% to
4 94.49%, with a weighted average of 63.57%. BOAA 2005-2 Pros. Sup. S-8 and S-35.
- 5 (d) The original LTVs of the mortgage loans in Group 4 ranged from 11.5% to 90%,
6 with a weighted average of 58.95%. BOAA 2005-2 Pros. Sup. S-8 and S-40.
- 7 (e) The original LTVs of all of the loans in the collateral pool ranged from 11.5% to
8 103%, with a weighted average of 70.33%. BOAA 2005-2 Pros. Sup. S-9 and S-45.
- 9 (f) The original LTVs of the discount loans in Group 1 ranged from 18.33% to 103%,
10 with a weighted average of 70.06%. BOAA 2005-2 Pros. Sup. S-25.
- 11 (g) The original LTVs of the premium loans in Group 1 ranged from 11.61% to 103%,
12 with a weighted average of 72.96%. BOAA 2005-2 Pros. Sup. S-25
- 13 (h) In the section of the prospectus supplement entitled "The Mortgage Pool," Banc of
14 America and Banc of America Mortgage Securities presented tables of statistics about the
15 mortgage loans in the collateral pool. BOAA 2005-2 Pros. Sup. S-25 to S-50. Each table focused
16 on a certain characteristic of the loans (for example, current principal balance) and divided the
17 loans into categories based on that characteristic (for example, loans with current principal
18 balances of \$0.01 to \$50,000, \$50,000.01 to \$100,000, \$100,000.01 to \$150,000, etc.). Each table
19 then presented various data about the loans in each category. One of the tables, entitled "Original
20 Loan-to-Value Ratios," divided the loans in Group 1 into 19 categories of original LTV (for
21 example, 10.01% to 15%, 15.01% to 20%, 20.01% to 25%, etc.). The table made untrue and
22 misleading statements about the number of mortgage loans, the aggregate principal balance
23 outstanding, and the percent of aggregate principal balance outstanding in each of these
24 categories. BOAA 2005-2 Pros. Sup. S-28.
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27
28

(i) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination of the Group 1 Mortgage Loans is expected to be approximately 72.63%." BOAA 2005-2 Pros. Sup. S-28.

(j) The original LTVs of the premium loans in Group 2 ranged from 13.47% to 103%, with a weighted average of 74.08%. BOAA 2005-2 Pros. Sup.S-30.

(k) In "The Mortgage Pool" section, Banc of America and Banc of America Mortgage Securities presented another table entitled "Original Loan-to-Value Ratios." This table divided the mortgage loans in Group 2 into 17 categories of original LTV (for example, 10.01% to 15%, 20.01% to 25%, 25.01% to 30%, etc.). The table made untrue and misleading statements about the number of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance outstanding in each of these categories. BOAA 2005-2 Pros. Sup. S-33.

(l) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination of the Group 2 Mortgage Loans is expected to be approximately 74.08%." BOAA 2005-2 Pros. Sup. S-33.

(m) The original LTVs of the discount loans in Group 3 ranged from 20.69% to 94.49%, with a weighted average of 62.4%. BOAA 2005-2 Pros. Sup. S-35.

(n) The original LTVs of the premium loans in Group 3 ranged from 18.39% to 90.43%, with a weighted average of %. BOAA 2005-2 Pros. Sup.S-35.

(o) In "The Mortgage Pool" section, Banc of America and Banc of America Mortgage Securities presented another table entitled "Original Loan-to-Value Ratios." This table divided the mortgage loans in Group 3 into 16 categories of original LTV (for example, 15.01% to 20%, 20.01% to 25%, 25.01% to 30%, etc.). The table made untrue and misleading statements about the number of mortgage loans, the aggregate principal balance outstanding, and the percent of

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1 aggregate principal balance outstanding in each of these categories. BOAA 2005-2 Pros. Sup. S-
2 38.

3 (p) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination
4 of the Group 3 Mortgage Loans is expected to be approximately 63.57%." BOAA 2005-2 Pros.
5 Sup. S-38.

6 (q) The original LTVs of the discount loans in Group 4 ranged from 11.5% to 90%,
7 with a weighted average of 56.39%. BOAA 2005-2 Pros. Sup. S-40.

8 (r) The original LTVs of the premium loans in Group 4 ranged from 15.13% to 90%,
9 with a weighted average of 62.49%. BOAA 2005-2 Pros. Sup. S-40.

10 (s) In "The Mortgage Pool" section, Banc of America and Banc of America Mortgage
11 Securities presented another table entitled "Original Loan-to-Value Ratios." This table divided
12 the mortgage loans in Group 4 into 16 categories of original LTV (for example, 10.01% to 15%,
13 15.01% to 20%, 20.01% to 25%, etc.). The table made untrue and misleading statements about
14 the number of mortgage loans, the aggregate principal balance outstanding, and the percent of
15 aggregate principal balance outstanding in each of these categories. BOAA 2005-2 Pros. Sup. S-
16 43.

17 (t) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination
18 of the Group 4 Mortgage Loans is expected to be approximately 58.95%." BOAA 2005-2 Pros.
19 Sup. S-43.

20 (u) The original LTVs of the discount mortgage loans in all of the loans in the
21 collateral pool ranged from 11.5% to 103%, with a weighted average of 63.53%. BOAA 2005-2
22 Pros. Sup. S-45.

(v) The original LTVs of the premium mortgage loans in all of the loans in the collateral pool ranged from 11.61% to 103%, with a weighted average of 71.77%. BOAA 2005-2 Pros. Sup. S-45.

(w) In "The Mortgage Pool" section, Banc of America and Banc of America Mortgage Securities presented another table entitled "Original Loan-to-Value Ratios." This table divided all of the mortgage loans in the collateral pool into 19 categories of original LTV (for example, 10.01% to 15%, 15.01% to 20%, 20.01% to 25%, etc.). The table made untrue and misleading statements about the number of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance outstanding in each of these categories. BOAA 2005-2 Pros. Sup. S-49.

(x) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination of the Mortgage Loans is expected to be approximately 70.33%." BOAA 2005-2 Pros. Sup. S-49.

Item 62. Details of the results of the AVM analysis:

Number of loans	1,824
Number of properties on which there was enough information for the model to determine a true market value	435
Number of loans on which the stated value was 105% or more of the true market value as reported by the model	180
Aggregate amount by which the stated values of those properties exceeded their true market values as reported by the model	\$7,757,148
Number of loans on which the stated value was 95% or less of the true market value as reported by the model	139
Aggregate amount by which the true market values of those properties exceed their stated values	\$6,149,539
Number of loans with LTVs over 100%, as stated by Defendants	20
Number of loans with LTVs over 100%, as determined by the model	40
Weighted-average LTV, as stated by Defendants	70.3%
Weighted-average LTV, as determined by the model	74.4%

Item 71. Undisclosed additional liens:

- (a) Minimum number of properties with additional liens: 165
- (b) Total reduction in equity from additional liens: \$7,503,275

1 (c) Weighted-average reduction in equity from additional liens: 83.2%

2 **Item 88. Untrue or misleading statements about owner-occupancy of the properties**
3 **that secured the mortgage loans:**

4 In the prospectus supplement, Banc of America and Banc of America Mortgage Securities
5 made the following statements about the occupancy status of the properties that secured the
6 mortgage loans in the collateral pool of this securitization.

7 (a) In "The Mortgage Pool" section of the prospectus supplement, described in Item
8 52, Banc of America and Banc of America Mortgage Securities presented a table entitled
9 "Occupancy of Mortgaged Properties." This table divided the mortgage loans in Group 1 into the
10 categories "Primary Residence," "Investor Property," and "Second Home." The table made
11 untrue and misleading statements about the number of mortgage loans, the aggregate principal
12 balance outstanding, and the percent of aggregate principal balance outstanding in each of these
13 categories. BOAA 2005-2 Pros. Sup. S-26.

14 (b) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
15 America Mortgage Securities stated that 49.74% of the mortgage loans in Group 1 were secured
16 by a "Primary Residence," 47.9% by an "Investor Property," and 2.36% by a "Second Home."
17 BOAA 2005-2 Pros. Sup. S-26.

18 (c) In "The Mortgage Pool" section, Banc of America and Banc of America Mortgage
19 Securities presented another table entitled "Occupancy of Mortgaged Properties."
20 This table divided the mortgage loans in Group 2 into the categories "Primary Residence,"
21 "Investor Property," and "Second Home." The table made untrue and misleading statements
22 about the number of mortgage loans, the aggregate principal balance outstanding, and the percent
23 of aggregate principal balance outstanding in each of these categories. BOAA 2005-2 Pros. Sup.
24 S-31.

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1 (d) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
2 America Mortgage Securities stated that 33.96% of the mortgage loans in Group 2 were secured
3 by a "Primary Residence," 58.23% by an "Investor Property," and 7.81% by a "Second Home."
4 BOAA 2005-2 Pros. Sup. S-31.

5 (e) In "The Mortgage Pool" section, Banc of America and Banc of America Mortgage
6 Securities presented another table entitled "Occupancy of Mortgaged Properties." This table
7 divided the mortgage loans in Group 3 into the categories "Primary Residence," "Investor
8 Property," and "Second Home." The table made untrue and misleading statements about the
9 number of mortgage loans, the aggregate principal balance outstanding, and the percent of
10 aggregate principal balance outstanding in each of these categories. BOAA 2005-2 Pros. Sup. S-
11 36.
12

13 (f) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
14 America Mortgage Securities stated that 51.62% of the mortgage loans in Group 3 were secured
15 by a "Primary Residence," 41.93% by an "Investor Property," and 6.44% by a "Second Home."
16 BOAA 2005-2 Pros. Sup. S-36.
17

18 (g) In "The Mortgage Pool" section, Banc of America and Banc of America Mortgage
19 Securities, presented another table entitled "Occupancy of Mortgaged Properties." This table
20 divided the mortgage loans in Group 4 into the categories "Primary Residence," "Investor
21 Property," and "Second Home." The table made untrue and misleading statements about the
22 number of mortgage loans, the aggregate principal balance outstanding, and the percent of
23 aggregate principal balance outstanding in each of these categories. BOAA 2005-2 Pros. Sup. S-
24 41.
25

26 (h) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
27 America Mortgage Securities stated that 18.39% of the mortgage loans in Group 4
28

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(i) were secured by a "Primary Residence," 74.21% by an "Investor Property," and 7.4% by a "Second Home." BOAA 2005-2 Pros. Sup. S-41.

(j) In "The Mortgage Pool" section, Banc of America and Banc of America Mortgage Securities presented another table entitled "Occupancy of Mortgaged Properties." This table divided all of the mortgage loans in the collateral pool into the categories "Primary Residence," "Investor Property," and "Second Home." The table made untrue and misleading statements about the number of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance outstanding in each of these categories. BOAA 2005-2 Pros. Sup. S-46.

(k) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of America Mortgage Securities stated that 44.89% of the mortgage loans in the collateral pool were secured by a "Primary Residence," 51.23% by an "Investor Property," and 3.88% by a "Second Home." BOAA 2005-2 Pros. Sup. S-46.

Item 96. Details of properties that were stated to be owner-occupied, but were not:

- (a) Number of loans on which the owner of the property instructed tax authorities to send property tax bills to him or her at a different address: 36
- (b) Number of loans on which the owner of the property could have, but did not, designate the property as his or her homestead: 54
- (c) Number of loans on which the owner of the property owned three or more properties: 5
- (d) Eliminating duplicates, number of loans about which one or more of statements (a) through (c) is true: 79

Item 99. Untrue or misleading statements about the underwriting standards of the originators of the mortgage loans:

On pages 24 through 28 of the prospectus, Banc of America and Banc of America Mortgage Securities made statements about the underwriting guidelines of Bank of America,

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1 N.A. All of those statements are incorporated herein by reference. In particular, Banc of America
2 and Banc of America Mortgage Securities stated that:

3 (a) "Bank of America will consider a mortgage loan to be originated in accordance
4 with a given set of guidelines if, based on an overall qualitative evaluation, the loan is in
5 substantial compliance with such underwriting guidelines. Even if one or more specific criteria
6 included in such underwriting guidelines were not satisfied, if other factors compensated for the
7 standards that were not satisfied, the mortgage loan may be considered to be in substantial
8 compliance with the underwriting guidelines." BOAA 2005-2 Pros. 24.

10 (b) "These underwriting standards applied by Bank of America in originating or
11 acquiring mortgage loans are intended to evaluate the applicants' repayment ability, credit
12 standing and assets available for downpayment, closing costs and cash reserves. Additionally,
13 guidelines are established regarding the adequacy of the property as collateral for the loan
14 requested." BOAA 2005-2 Pros. 24.

16 **Item 117. Statements about the ratings of the certificate(s) that the Bank purchased:**

17 On pages S-4 and S-107 of the prospectus supplement Banc of America and Banc of
18 America Mortgage Securities made statements about the ratings assigned to the certificate issued
19 in this securitization. Banc of America and Banc of America Mortgage Securities stated that the
20 Bank's certificate was rated Aaa by Moody's Investors Service, Inc. and AAA by Fitch Ratings.
21 These were the highest ratings available from these two rating agencies.

23 Banc of America and Banc of America Mortgage Securities also stated: "At their
24 issuance, each class of Offered Certificates is required to receive from Moody's Investors
25 Service, Inc. (Moody's) and Fitch Ratings ("Fitch") at least the rating set forth in . . . this
26 Prospectus Supplement." BOAA 2005-2 Pros. Sup. S-107.

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- 1 **Item 120. Summary of loans about which the Defendants made untrue or misleading**
2 **statements:**
- 3 (a) **Number of loans whose LTVs were materially understated: 180**
4 (b) **Number of loans in which the owner's equity was reduced by 5% or more by**
5 **undisclosed additional liens: 165**
6 (c) **Number of loans in which the properties were stated to be owner-occupied**
7 **but were not: 79**
8 (d) **Eliminating duplicates, number of loans about which the Defendants made**
9 **untrue or misleading statements: 302**
10 (e) **Eliminating duplicates, percent of loans about which the Defendants made**
11 **untrue or misleading statements: 16.6%**
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1 **SCHEDULE 71 TO THE AMENDED COMPLAINT**

2 To the extent that this Schedule is incorporated by reference into allegations in the
3 complaint, those allegations are made against Defendants Banc of America and Banc of America
4 Funding.

5 **Item 44. Details of trust and certificate(s).**

6 (a) **Dealer that sold the certificate(s) to the Bank:** Banc of America.

7 (b) **Description of the trust:** Banc of America Funding Corporation, Mortgage Pass-
8 Through Certificates, Series 2005-A was a securitization in January 2005 of 2,630 mortgage
9 loans, in five groups. The mortgage loans in the collateral pool of this securitization were
10 originated or acquired by Wells Fargo Bank, N.A., GreenPoint Mortgage Funding, Inc., Bank of
11 America, N.A., and Countrywide Home Loans, Inc. Bank of America, N.A. originated or
12 acquired 20.94% of the loans in Group 1, Countrywide Home Loans, Inc. originated or acquired
13 23.17%, and GreenPoint Mortgage Funding, Inc. originated or acquired 55.89%. Bank of
14 America, N.A. originated or acquired 83.07% of the loans in Group 2 and GreenPoint Mortgage
15 Funding, Inc. originated or acquired 16.93%. Bank of America, N.A. originated or acquired 100%
16 of the mortgage loans in Group 3. Countrywide Home Loans, Inc. originated or acquired 30.94%
17 of the loans in Group 4 and Wells Fargo Bank, N.A. originated or acquired 61.72%. Bank of
18 America, N.A. originated or acquired 20.94% of the loans in Group 5, Countrywide Home Loans,
19 Inc. originated or acquired 23.17%, and GreenPoint Mortgage Funding, Inc. originated or
20 acquired 55.89%. Bank of America, N.A. originated or acquired 59.24% of the mortgage loans in
21 the CB Crossed Loan Group, which consists of the loans in Groups 1 through 3, Countrywide
22 Home Loans, Inc. originated or acquired 9.47%, and GreenPoint Mortgage Funding, Inc.
23 originated or acquired 31.29%. BAFC 2005-A Pros. Sup. S-10 and S-38.
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(c) Description of the certificate(s) that the Bank purchased: Banc of America offered and sold to the Bank senior certificates in this securitization, in tranche 2-A-2, for which the Bank paid \$129,402,210 plus accrued interest on January 27, 2005.

(d) Ratings of the certificate(s) when the Bank purchased them: Standard & Poor's • AAA; Moody's • Aaa.

(e) Current ratings of the certificate(s): Standard & Poor's • CCC; Moody's • Baa2.

(f) URL of prospectus supplement for this securitization:
<http://www.sec.gov/Archives/edgar/data/934377/000119312505013227/d424b5.htm>

Item 52. Untrue or misleading statements about the LTVs of the mortgage loans:

In the prospectus supplement, Banc of America and Banc of America Funding made the following statements about the LTVs of the mortgage loans in the collateral pool of this securitization.

(a) The original LTVs of the mortgage loans in Group 1 ranged from 6.8% to 95%, with a weighted average of 75%. BAFC 2005-A Pros. Sup. S-11.

(b) The original LTVs of the mortgage loans in Group 2 ranged from 17.39% to 100%, with a weighted average of 73.64%. BAFC 2005-A Pros. Sup. S-11.

(c) The original LTVs of the mortgage loans in Group 3 ranged from 17.39% to 95%, with a weighted average of 66.04%. BAFC 2005-A Pros. Sup. S-12.

(d) The original LTVs of the mortgage loans in Group 4 ranged from 27.78% to 90%, with a weighted average of 69.9%. BAFC 2005-A Pros. Sup. S-12.

(e) The original LTVs of the mortgage loans in Group 5 ranged from 7% to 100%, with a weighted average of 76.91%. BAFC 2005-A Pros. Sup. S-13.

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1 (f) The original LTVs of the mortgage loans in Subgroup 5A ranged from 11.84% to
2 100%, with a weighted average of 78.73%. BAFC 2005-A Pros. Sup. S-14.

3 (g) The original LTVs of the mortgage loans in Subgroup 5B ranged from 7% to 95%,
4 with a weighted average of 74.4%. BAFC 2005-A Pros. Sup. S-5.

5 (h) The original LTVs of the mortgage loans in the CB Crossed Loan Groups, which
6 consists of the loans in Groups 1 through 3, ranged from 6.8% to 100%, with a weighted average
7 of 73.49%. BAFC 2005-A Pros. Sup. S-5.

8 (i) In the section of the prospectus supplement entitled "The Mortgage Pool," Banc of
9 America and Banc of America Funding presented tables of statistics about the mortgage loans in
10 the collateral pool. BAFC 2005-A Pros. Sup. S-39 to S-82. Each table focused on a certain
11 characteristic of the loans (for example, current principal balance) and divided the loans into
12 categories based on that characteristic (for example, loans with current principal balances of
13 \$0.01 to \$50,000, \$50,000.01 to \$100,000, \$100,000.01 to \$150,000, etc.). Each table then
14 presented various data about the loans in each category. One of the tables, entitled "Original
15 Loan-to-Value Ratios," divided the loans in Group 1 into 15 categories of original LTV (for
16 example, 5.01% to 10%, 20.01% to 25%, 25.01% to 30%, etc.). The table made untrue and
17 misleading statements about the number of mortgage loans, the aggregate principal balance
18 outstanding, and the percent of aggregate principal balance outstanding in each of these
19 categories. BAFC 2005-A Pros. Sup. S-42.

20 (j) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination
21 of the Group 1 Mortgage Loans is expected to be approximately 75.00%." BAFC 2005-A Pros.
22 Sup. S-42.

23 (k) In "The Mortgage Pool" section, Banc of America and Banc of America Funding
24 presented another table entitled "Original Loan-to-Value Ratios." This table divided the mortgage
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1 loans in Group 2 into 17 categories of original LTV (for example, 15.01% to 20%, 20.01% to
2 25%, 25.01% to 30%, etc.). The table made untrue and misleading statements about the number
3 of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate
4 principal balance outstanding in each of these categories. BAFC 2005-A Pros. Sup. S-47.

5 (l) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination
6 of the Group 2 Mortgage Loans is expected to be approximately 73.64%." BAFC 2005-A Pros.
7 Sup. S-47.

8 (m) In "The Mortgage Pool" section, Banc of America and Banc of America Funding
9 presented another table entitled "Original Loan-to-Value Ratios." This table divided the mortgage
10 loans in Group 3 into 15 categories of original LTV (for example, 15.01% to 20%, 20.01% to
11 25%, 25.01% to 30%, etc.). The table made untrue and misleading statements about the number
12 of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate
13 principal balance outstanding in each of these categories. BAFC 2005-A Pros. Sup. S-52.

14 (n) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination
15 of the Group 3 Mortgage Loans is expected to be approximately 66.04%." BAFC 2005-A Pros.
16 Sup. S-52.

17 (o) In "The Mortgage Pool" section, Banc of America and Banc of America Funding
18 presented another table entitled "Original Loan-to-Value Ratios." This table divided the mortgage
19 loans in Group 4 into 13 categories of original LTV (for example, 25.01% to 30%, 30.01% to
20 35%, 35.01% to 40%, etc.). The table made untrue and misleading statements about the number
21 of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate
22 principal balance outstanding in each of these categories. BAFC 2005-A Pros. Sup. S-57.

(p) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination of the Group 4 Mortgage Loans is expected to be approximately 69.90%." BAFC 2005-A Pros. Sup. S-57.

(q) In "The Mortgage Pool" section, Banc of America and Banc of America Funding presented another table entitled "Original Loan-to-Value Ratios." This table divided the mortgage loans into 18 categories of original LTV (for example, 5.01% to 10%, 10.01% to 15%, 15.01% to 20%, etc.). The table made untrue and misleading statements about the number of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance outstanding in each of these categories. BAFC 2005-A Pros. Sup. S-62.

(r) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination of the Group 5 Mortgage Loans is expected to be approximately 76.91%." BAFC 2005-A Pros. Sup. S-62.

(s) In "The Mortgage Pool" section, Banc of America and Banc of America Funding presented another table entitled "Original Loan-to-Value Ratios." This table divided the mortgage loans in Subgroup 5A into 16 categories of original LTV (for example, 10.01% to 15%, 15.01% to 20%, 20.01% to 25%, etc.). The table made untrue and misleading statements about the number of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance outstanding in each of these categories. BAFC 2005-A Pros. Sup. S-68.

(t) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination of the Subgroup 5A Mortgage Loans is expected to be approximately 78.73%." BAFC 2005-A Pros. Sup. S-68.

(u) In "The Mortgage Pool" section, Banc of America and Banc of America Funding presented another table entitled "Original Loan-to-Value Ratios." This table divided the mortgage

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1 loans in Subgroup 5B into 12 categories of original LTV (for example, 5.01% to 10%, 20.01% to
2 25%, 40.01% to 45%, etc.). The table made untrue and misleading statements about the number
3 of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate
4 principal balance outstanding in each of these categories. BAFC 2005-A Pros. Sup. S-74.

5
6 (v) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination
7 of the Subgroup 5B Mortgage Loans is expected to be approximately 74.40%." BAFC 2005-A
8 Pros. Sup. S-74.

9 (w) In "The Mortgage Pool" section, Banc of America and Banc of America Funding
10 presented another table entitled "Original Loan-to-Value Ratios." This table divided the mortgage
11 loans in the CB Crossed Loan Group, which consists of the loans in Groups 1 through 3, into 18
12 categories of original LTV (for example, 5.01% to 10%, 15.01% to 20%, 20.01% to 25%, etc.).
13 The table made untrue and misleading statements about the number of mortgage loans, the
14 aggregate principal balance outstanding, and the percent of aggregate principal balance
15 outstanding in each of these categories. BAFC 2005-A Pros. Sup. S-79.

16
17 (x) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination
18 of the CB Crossed Group Mortgage Loans is expected to be approximately 73.49%." BAFC
19 2005-A Pros. Sup. S-79.
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Item 62. Details of the results of the AVM analysis:

Number of loans	2,630
Number of properties on which there was enough information for the model to determine a true market value	1,251
Number of loans on which the stated value was 105% or more of the true market value as reported by the model	598
Aggregate amount by which the stated values of those properties exceeded their true market values as reported by the model	\$55,405,965
Number of loans on which the stated value was 95% or less of the true market value as reported by the model	295
Aggregate amount by which the true market values of those properties exceed their stated values	\$23,179,219
Number of loans with LTVs over 100%, as stated by Defendants	0
Number of loans with LTVs over 100%, as determined by the model	98
Weighted-average LTV, as stated by Defendants (group 2)	73.6%
Weighted-average LTV, as determined by the model (group 2)	79.1%

Item 71. Undisclosed additional liens:

- (a) Minimum number of properties with additional liens: 948
- (b) Total reduction in equity from additional liens: \$59,656,386
- (c) Weighted-average reduction in equity from additional liens: 65.5%

Item 82. Untrue or misleading statements about compliance with USPAP:

In the prospectus supplement, Banc of America and Banc of America Funding made the following statement about the appraisals of the properties that secured the mortgage loans originated by Countrywide Home Loans, Inc.: "All appraisals are required to conform to Fannie Mae or Freddie Mac appraisal standards then in effect." BAFC 2005-A Pros. Sup. S-89.

Item 88. Untrue or misleading statements about owner-occupancy of the properties that secured the mortgage loans:

In the prospectus supplement, Banc of America and Banc of America Funding made the following statements about the occupancy status of the properties that secured the mortgage loans in the collateral pool of this securitization.

- (a) In "The Mortgage Pool" section of the prospectus supplement, described in Item 52, Banc of America and Banc of America Funding presented a table entitled "Occupancy of

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1 Mortgaged Properties." This table divided the mortgage loans in Group 1 into the categories
2 "Primary Residence," "Investor Property," and "Second Home." The table made untrue and
3 misleading statements about the number of mortgage loans, the aggregate principal balance
4 outstanding, and the percent of aggregate principal balance outstanding in each of these
5 categories. BAFC 2005-A Pros. Sup. S-39.
6

7 (b) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
8 America Funding stated that 81.69% of the mortgage loans in Group 1 were secured by a
9 "Primary Residence," 14.22% by an "Investor Property," and 4.09% by a "Second Home." BAFC
10 2005-A Pros. Sup. S-39.

11 (c) In "The Mortgage Pool" section, Banc of America and Banc of America Funding,
12 presented another table entitled "Occupancy of Mortgaged Properties." This table divided the
13 mortgage loans in Group 2 into the categories "Primary Residence," "Investor Property," and
14 "Second Home." The table made untrue and misleading statements about the number of mortgage
15 loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance
16 outstanding in each of these categories. BAFC 2005-A Pros. Sup. S-45.
17

18 (d) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
19 America Funding stated that 89.2% of the mortgage loans in Group 2 were secured by a "Primary
20 Residence," 4.94% by an "Investor Property," and 5.87% by a "Second Home." BAFC 2005-A
21 Pros. Sup. S-45.
22

23 (e) In "The Mortgage Pool" section, Banc of America and Banc of America Funding,
24 presented another table entitled "Occupancy of Mortgaged Properties." This table divided the
25 mortgage loans in Group 3 into the categories "Primary Residence," "Investor Property," and
26 "Second Home." The table made untrue and misleading statements about the number of mortgage
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1 loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance
2 outstanding in each of these categories. BAFC 2005-A Pros. Sup. S-50.

3 (f) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
4 America Funding stated that 89.43% of the mortgage loans in Group 3 were secured by a
5 "Primary Residence," 0.92% by an "Investor Property," and 9.64% by a "Second Home." BAFC
6 2005-A Pros. Sup. S-50.

8 (g) "In "The Mortgage Pool" section, Banc of America and Banc of America Funding,
9 presented another table entitled "Occupancy of Mortgaged Properties." This table divided the
10 mortgage loans in Group 4 into the categories "Primary Residence," "Investor Property," and
11 "Second Home." The table made untrue and misleading statements about the number of mortgage
12 loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance
13 outstanding in each of these categories. BAFC 2005-A Pros. Sup. S-55.

15 (h) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
16 America Funding stated that 96% of the mortgage loans in Group 4 were secured by a "Primary
17 Residence," 0.29% by an "Investor Property," and 3.71% by a "Second Home." BAFC 2005-A
18 Pros. Sup. S-55.

19 (i) "In "The Mortgage Pool" section Banc of America and Banc of America Funding,
20 presented another table entitled "Occupancy of Mortgaged Properties." This table divided the
21 mortgage loans in Group 5 into the categories "Primary Residence," "Investor Property," and
22 "Second Home." The table made untrue and misleading statements about the number of mortgage
23 loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance
24 outstanding in each of these categories. BAFC 2005-A Pros. Sup. S-60.

26 (j) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
27 America Funding stated that 55.82% of the mortgage loans in Group 5 were secured by a
28

1 "Primary Residence," 40% by an "Investor Property," and 4.18% by a "Second Home." BAFC
2 2005-A Pros. Sup. S-60.

3 (k) In "The Mortgage Pool" section Banc of America and Banc of America Funding,
4 presented another table entitled "Occupancy of Mortgaged Properties." This table divided the
5 mortgage loans in Subgroup 5A into the categories "Primary Residence," "Investor Property,"
6 and "Second Home." The table made untrue and misleading statements about the number of
7 mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate
8 principal balance outstanding in each of these categories. BAFC 2005-A Pros. Sup. S-66.

9
10 (l) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
11 America Funding stated that 40.68% of the mortgage loans in Subgroup 5A were secured by a
12 "Primary Residence," 55.85% by an "Investor Property," and 3.47% by a "Second Home." BAFC
13 2005-A Pros. Sup. S-66.

14
15 (m) In "The Mortgage Pool" section, Banc of America and Banc of America Funding
16 presented another table entitled "Occupancy of Mortgaged Properties." This table divided the
17 mortgage loans in Subgroup 5B into the categories "Primary Residence," "Investor Property,"
18 and "Second Home." The table made untrue and misleading statements about the number of
19 mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate
20 principal balance outstanding in each of these categories. BAFC 2005-A Pros. Sup. S-72.

21
22 (n) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
23 America Funding stated that 76.68% of the mortgage loans in Subgroup 5B were secured by a
24 "Primary Residence," 18.15% by an "Investor Property," and 5.17% by a "Second Home." BAFC
25 2005-A Pros. Sup. S-72.

26 (o) In "The Mortgage Pool" section, Banc of America and Banc of America Funding,
27 presented another table entitled "Occupancy of Mortgaged Properties." This table divided the
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1 mortgage loans in the CB Crossed Loan Group, which consists of the loans in Groups 1 through
2 3, into the categories "Primary Residence," "Investor Property," and "Second Home." The table
3 made untrue and misleading statements about the number of mortgage loans, the aggregate
4 principal balance outstanding, and the percent of aggregate principal balance outstanding in each
5 of these categories. BAFC 2005-A Pros. Sup. S-77.

6
7 (p) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
8 America Funding stated that 86.15% of the mortgage loans in the CB Crossed Loan Groups were
9 secured by a "Primary Residence," 8.36% by an "Investor Property," and 5.49% by a "Second
10 Home." BAFC 2005-A Pros. Sup. S-77.

11 **Item 96. Details of properties that were stated to be owner-occupied, but were not:**

- 12 (a) Number of loans on which the owner of the property instructed tax
13 authorities to send property tax bills to him or her at a different address: 152
14 (b) Number of loans on which the owner of the property could have, but did not,
15 designate the property as his or her homestead: 224
16 (c) Number of loans on which the owner of the property owned three or more
17 properties: 14
18 (d) Eliminating duplicates, number of loans about which one or more of
19 statements (a) through (c) is true: 326

20 **Item 99. Untrue or misleading statements about the underwriting standards of the
21 originators of the mortgage loans:**

22 On pages S-83 through S-85 of the prospectus supplement, Banc of America and Banc of
23 America Funding made statements about the underwriting guidelines of Bank of America, N.A.
24 All of those statements are incorporated herein by reference. In particular, Banc of America and
25 Banc of America Funding stated that:

- 26 (a) "Bank of America will consider a mortgage loan to be originated in accordance
27 with a given set of guidelines if, based on an overall qualitative evaluation, the loan is in
28 substantial compliance with such underwriting guidelines. Even if one or more specific criteria

1 included in such underwriting guidelines were not satisfied, if other factors compensated for the
2 standards that were not satisfied, the mortgage loan may be considered to be in substantial
3 compliance with the underwriting guidelines." BAFC 2005-A Pros. Sup. S-83.

4 (b) "These underwriting standards applied by Bank of America in originating or
5 acquiring mortgage loans are intended to evaluate the applicants' repayment ability, credit
6 standing and assets available for downpayment, closing costs and cash reserves. Additionally,
7 guidelines are established regarding the adequacy of the property as collateral for the loan
8 requested." BAFC 2005-A Pros. Sup. S-83.

10 On pages S-87 through S-92 of the prospectus supplement, Banc of America and Banc of
11 America Funding made statements about the underwriting guidelines of Wells Fargo Bank. All of
12 those statements are incorporated herein by reference. In particular, Banc of America and Banc of
13 America Funding stated that:

15 (a) "The Wells Fargo Bank underwriting guidelines evaluate the applicant's credit
16 standing and ability to repay the loan, as well as the value and adequacy of the mortgaged
17 property as collateral." BAFC 2005-A Pros. Sup. S-85.

18 (b) "A mortgage loan secured by two- and four-family mortgaged property is
19 considered to be an owner-occupied property if the borrower occupies one of the units; rental
20 income on the other units is generally taken into account in evaluating the borrower's ability to
21 repay the mortgage loan." BAFC 2005-A Pros. Sup. S-86.

23 **Item 106. Early payment defaults:**

- 24 (a) **Number of the mortgage loans that suffered EPDs: 9**
- 25 (b) **Percent of the mortgage loans that suffered EPDs: 0.3%**
- 26 (c) **Percent of all securitized, non-agency prime (including Alt-A) mortgage loans**
27 **made at the same time as the loans in the collateral pool that experienced**
28 **EPDs: 0.18%**

- 1 **Item 107. 90+ days delinquencies:**
- 2 (a) Number of the mortgage loans that suffered 90+ days delinquencies: 365
- 3 (b) Percent of the mortgage loans that suffered 90+ days delinquencies: 13.9%
- 4 (c) Percent of all securitized, non-agency prime (including Alt-A) mortgage loans
- 5 made at the same time as the loans in the collateral pool that suffered 90+
- 6 days delinquencies: 16.5%
- 7 **Item 108. 30+ days delinquencies in this securitization:**
- 8 (a) Number of the mortgage loans that were 30+ days delinquent on March 31,
- 9 2010: 336
- 10 (b) Percent of the mortgage loans that were 30+ days delinquent on March 31,
- 11 2010: 12.8%
- 12 (c) Percent of all mortgage loans in the United States that were 30+ days
- 13 delinquent on March 31, 2010: 14.7%
- 14 **Item 117. Statements about the ratings of the certificate(s) that the Bank purchased:**
- 15 On pages S-5 and S-166 to S-167 of the prospectus supplement Banc of America and
- 16 Banc of America Funding made statements about the ratings assigned to the certificate issued in
- 17 this securitization. Banc of America and Banc of America Funding stated that the Bank's
- 18 certificate was rated Aaa by Moody's Investors Service, Inc. and AAA by Standard & Poor's
- 19 Rating Services. These were the highest ratings available from these two rating agencies.
- 20 Banc of America and Banc of America Funding also stated: "At their issuance, each class
- 21 of Offered Certificates is required to receive from Standard & Poor's, . . . Moody's Investors
- 22 Service, Inc. ("Moody's") and Fitch Ratings ("Fitch") at least the rating set forth in this
- 23 Prospectus Supplement." BAFC 2005-A Pros. Sup. S-166.
- 24 **Item 120. Summary of loans about which the Defendants made untrue or misleading**
- 25 **statements:**
- 26 (a) Number of loans whose LTVs were materially understated: 598
- 27 (b) Number of loans in which the owner's equity was reduced by 5% or more by
- 28 undisclosed additional liens: 948

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- 1 (c) Number of loans that suffered EPDs: 9
- 2 (d) Number of loans in which the properties were stated to be owner-occupied
- 3 but were not: 326
- 4 (e) Eliminating duplicates, number of loans about which the Defendants made
- 5 untrue or misleading statements: 1,474
- 6 (f) Eliminating duplicates, percent of loans about which the Defendants made
- 7 untrue or misleading statements: 56.1%
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SCHEDULE 72 TO THE AMENDED COMPLAINT

To the extent that this Schedule is incorporated by reference into allegations in the complaint, those allegations are made against Defendants Banc of America and Banc of America Mortgage Securities.

Item 44. Details of trust and certificate(s).

(a) Dealer that sold the certificate(s) to the Bank: Banc of America.

(b) Description of the trust: Banc of America Alternative Loan Trust, Mortgage Pass-Through Certificates, Series 2005-1 was a securitization in January 2005 of 2,027 mortgage loans, in two groups. The mortgage loans in the collateral pool of this securitization were originated by Bank of America, N.A. BOAA 2005-1 Pros. Sup. S-6 and S-21.

(c) Description of the certificate(s) that the Bank purchased: Banc of America offered and sold to the Bank a senior certificate in this securitization, in tranche 1-CB-1, for which the Bank paid \$134,626,406 plus accrued interest on January 31, 2005.

(d) Ratings of the certificate(s) when the Bank purchased them: Moody's• Aaa; Fitch• AAA.

(e) Current ratings of the certificate(s): Moody's • Caal; Fitch• BB.

(f) URL of prospectus supplement for this securitization:

<http://www.sec.gov/Archives/edgar/data/1207409/000119312505011248/d424b5.htm>

Item 52. Untrue or misleading statements about the LTVs of the mortgage loans:

In the prospectus supplement, Banc of America and Banc of America Mortgage Securities made the following statements about the LTVs of the mortgage loans in the collateral pool of this securitization.

(a) The original LTVs of the mortgage loans in Group 1 ranged from 11.04% to 103%, with a weighted average of 73.52%. BOAA 2005-1 Pros. Sup. S-6 and S-23.

1 (b) The original LTVs of the mortgage loans in Group 2 ranged from 7.34% to
2 94.69%, with a weighted average of 60.87%. BOAA 2005-1 Pros. Sup. S-7 and S-28.

3 (c) The original LTVs for all of the mortgage loans in the collateral pool ranged from
4 7.34% to 103%, with a weighted average of 71.41%. BOAA 2005-1 Pros. Sup. S-7 and S-33.

5 (d) "As of the Cut-off Date, no Mortgage Loan will have a Loan-to-Value Ratio of
6 more than 103.00%." BOAA 2005-1 Pros. Sup. S-22.

7 (e) The original LTVs of the discount mortgage loans in Group 1 ranged from 18.69%
8 to 101.19%, with a weighted average of 70.98%. BOAA 2005-1 Pros. Sup. S-23.

9 (f) The original LTVs of the premium mortgage loans in Group 1 ranged from
10 11.04% to 103%, with a weighted average of 73.79%. BOAA 2005-1 Pros. Sup. S-23.

11 (g) In the section of the prospectus supplement entitled "The Mortgage Pool," Banc of
12 America and Banc of America Mortgage Securities presented tables of statistics about the
13 mortgage loans in the collateral pool. BOAA 2005-1 Pros. Sup. S-23 to S-37. Each table focused
14 on a certain characteristic of the loans (for example, current principal balance) and divided the
15 loans into categories based on that characteristic (for example, loans with current principal
16 balances of \$0.01 to \$50,000, \$50,000.01 to \$100,000, \$100,000.01 to \$150,000, etc.). Each table
17 then presented various data about the loans in each category. One of the tables, entitled "Original
18 Loan-to-Value Ratios," divided the loans in Group 1 into 19 categories of original LTV (for
19 example, 10.01% to 15%, 15.01% to 20%, 20.01% to 25%, etc.). The table made untrue and
20 misleading statements about the number of mortgage loans, the aggregate principal balance
21 outstanding, and the percent of aggregate principal balance outstanding in each of these
22 categories. BOAA 2005-1 Pros. Sup. S-26.

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1 (h) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination
2 of the Group 1 Mortgage Loans is expected to be approximately 73.52%." BOAA 2005-1 Pros.
3 Sup. S-26.

4 (i) The original LTVs of the discount mortgage loans in Group 2 ranged from 7.34%
5 to 94.69%, with a weighted average of 58.97%. BOAA 2005-1 Pros. Sup. S-28.

6 (j) The original LTVs of the premium mortgage loans in Group 2 ranged from
7 14.14% to 90%, with a weighted average of 67.26%. BOAA 2005-1 Pros. Sup. S-28.

8 (k) In "The Mortgage Pool" section, Banc of America and Banc of America Mortgage
9 Securities presented another table entitled "Original Loan-to-Value Ratios." This table divided
10 the mortgage loans in Group 2 into 18 categories of original LTV (for example, 5.01% to 10%,
11 10.01% to 15%, 15.01% to 20%, etc.). The table made untrue and misleading statements about
12 the number of mortgage loans, the aggregate principal balance outstanding, and the percent of
13 aggregate principal balance outstanding in each of these categories. BOAA 2005-1 Pros. Sup. S-
14 31.

15 (l) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination
16 of the Group 2 Mortgage Loans is expected to be approximately 60.87%." BOAA 2005-1 Pros.
17 Sup. S-31.

18 (m) The original LTVs of the discount mortgage loans in the collateral pool ranged
19 from 7.34% to 101.19%, with a weighted average of 63.5%. BOAA 2005-1 Pros. Sup. S-33.

20 (n) The original LTVs of the premium mortgage loans in the collateral pool ranged
21 from 11.04% to 103%, with a weighted average of 73.47%. BOAA 2005-1 Pros. Sup. S-33.

22 (o) In "The Mortgage Pool" section, Banc of America and Banc of America Mortgage
23 Securities presented another table entitled "Original Loan-to-Value Ratios." This table divided all
24 of the mortgage loans in the collateral pool into 20 categories of original LTV (for example,
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5.01% to 10%, 10.01% to 15%, 15.01% to 20%, etc.). The table made untrue and misleading statements about the number of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance outstanding in each of these categories. BOAA 2005-1 Pros. Sup. S-36.

(p) "As of the Cut-off Date, the weighted average Loan-to-Value Ratio at origination of the Mortgage Loans is expected to be approximately 71.41%." BOAA 2005-1 Pros. Sup. S-36.

Item 62. Details of the results of the AVM analysis:

Number of loans	2,027
Number of properties on which there was enough information for the model to determine a true market value	509
Number of loans on which the stated value was 105% or more of the true market value as reported by the model	204
Aggregate amount by which the stated values of those properties exceeded their true market values as reported by the model	\$8,472,657
Number of loans on which the stated value was 95% or less of the true market value as reported by the model	162
Aggregate amount by which the true market values of those properties exceed their stated values	\$9,790,057
Number of loans with LTVs over 100%, as stated by Defendants	16
Number of loans with LTVs over 100%, as determined by the model	37
Weighted-average LTV, as stated by Defendants	71.4
Weighted-average LTV, as determined by the model	76.0%

Item 71. Undisclosed additional liens:

- (a) Minimum number of properties with additional liens: 33
- (b) Total reduction in equity from additional liens: \$3,043,987
- (c) Weighted-average reduction in equity from additional liens: 92.1%

Item 88. Untrue or misleading statements about owner-occupancy of the properties that secured the mortgage loans:

In the prospectus supplement, Banc of America and Banc of America Mortgage Securities made the following statements about the occupancy status of the properties that secured the mortgage loans in the collateral pool of this securitization.

1 (a) In "The Mortgage Pool" section of the prospectus supplement, described in Item
2 52, Banc of America and Banc of America Mortgage Securities presented a table entitled
3 "Occupancy of Mortgaged Properties." This table divided the mortgage loans in Group 1 into the
4 categories "Primary Residence," "Investor Property," and "Second Home." The table made
5 untrue and misleading statements about the number of mortgage loans, the aggregate principal
6 balance outstanding, and the percent of aggregate principal balance outstanding in each of these
7 categories. BOAA 2005-1 Pros. Sup. S-24.

9 (b) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
10 America Mortgage Securities stated that 48.61% of the mortgage loans in Group 1 were secured
11 by a "Primary Residence," 50.22% by an "Investor Property," and 1.18% were secured by a
12 "Second Home." BOAA 2005-1 Pros. Sup. S-24.

13 (c) In "The Mortgage Pool" section, Banc of America and Banc of America Mortgage
14 Securities presented another table entitled "Occupancy of Mortgaged Properties." This table
15 divided the mortgage loans in Group 2 into the categories "Primary Residence," "Investor
16 Property," and "Second Home." The table made untrue and misleading statements about the
17 number of mortgage loans, the aggregate principal balance outstanding, and the percent of
18 aggregate principal balance outstanding in each of these categories. BOAA 2005-1 Pros. Sup. S-
19 29.

20 (d) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
21 America Mortgage Securities stated that 24.33% of the mortgage loans in Group 2 were secured
22 by a "Primary Residence," 73.22% by an "Investor Property," and 2.46% by a "Second Home."
23 BOAA 2005-1 Pros. Sup. S-29.

24 (e) In "The Mortgage Pool" section, Banc of America and Banc of America Mortgage
25 Securities presented another table entitled "Occupancy of Mortgaged Properties." This table
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1 divided all of the mortgage loans in the collateral pool into the categories "Primary Residence,"
2 "Investor Property," and "Second Home." The table made untrue and misleading statements
3 about the number of mortgage loans, the aggregate principal balance outstanding, and the percent
4 of aggregate principal balance outstanding in each of these categories. BOAA 2005-1 Pros. Sup.
5 S-34.
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7 (f) In the "Occupancy of Mortgaged Properties" table, Banc of America and Banc of
8 America Mortgage Securities stated that 44.54% of all of the mortgage loans in the collateral pool
9 were secured by a "Primary Residence," 54.07% by an "Investor Property," and 1.39% by a
10 "Second Home." BOAA 2005-1 Pros. Sup. S-34.

11 **Item 96. Details of properties that were stated to be owner-occupied, but were not:**

- 12 (a) **Number of loans on which the owner of the property instructed tax**
13 **authorities to send property tax bills to him or her at a different address: 46**
14 (b) **Number of loans on which the owner of the property could have, but did not,**
15 **designate the property as his or her homestead: 76**
16 (c) **Number of loans on which the owner of the property owned three or more**
17 **properties: 3**
18 (d) **Eliminating duplicates, number of loans about which one or more of**
19 **statements (a) through (c) is true: 106**

20 **Item 99. Untrue or misleading statements about the underwriting standards of the**
21 **originators of the mortgage loans:**

22 On pages 24 through 28 of the prospectus, Banc of America and Banc of America
23 Mortgage Securities made statements about the underwriting guidelines of Bank of America,
24 N.A. All of those statements are incorporated herein by reference. In particular, Banc of America
25 and Banc of America Mortgage Securities stated that:

- 26 (a) "Bank of America will consider a mortgage loan to be originated in accordance
27 with a given set of guidelines if, based on an overall qualitative evaluation, the loan is in
28 substantial compliance with such underwriting guidelines. Even if one or more specific criteria

1 included in such underwriting guidelines were not satisfied, if other factors compensated for the
2 standards that were not satisfied, the mortgage loan may be considered to be in substantial
3 compliance with the underwriting guidelines." BOAA 2005-1 Pros. 24.

4 (b) "These underwriting standards applied by Bank of America in originating or
5 acquiring mortgage loans are intended to evaluate the applicants' repayment ability, credit
6 standing and assets available for downpayment, closing costs and cash reserves. Additionally,
7 guidelines are established regarding the adequacy of the property as collateral for the loan
8 requested." BOAA 2005-1 Pros. 24.

10 **Item 117. Statements about the ratings of the certificate(s) that the Bank purchased:**

11 On pages S-4 and S-90 of the prospectus supplement Banc of America and Banc of
12 America Mortgage Securities made statements about the ratings assigned to the certificate issued
13 in this securitization. Banc of America and Banc of America Mortgage Securities stated that the
14 Bank's certificate was rated Aaa by Moody's Investors Service, Inc. and AAA by Fitch Ratings.
15 These were the highest ratings available from these two rating agencies.

17 Banc of America and Banc of America Mortgage Securities also stated: "At their
18 issuance, each class of Offered Certificates is required to receive from Moody's Investors
19 Service, Inc. ("Moody's") and Fitch Ratings ("Fitch") at least the rating set forth in . . . this
20 Prospectus Supplement." BOAA 2005-1 Pros. Sup. S-90.

22 **Item 120. Summary of loans about which the Defendants made untrue or misleading
23 statements:**

- 24 (a) Number of loans whose LTVs were materially understated: 204
25 (b) Number of loans in which the owner's equity was reduced by 5% or more by
26 undisclosed additional liens: 33
27 (c) Number of loans that suffered EPDs: 1
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- (d) Number of loans in which the properties were stated to be owner-occupied but were not: 106
- (e) Eliminating duplicates, number of loans about which the Defendants made untrue or misleading statements: 303
- (f) Eliminating duplicates, percent of loans about which the Defendants made untrue or misleading statements: 15.0%

SCHEDULE 73 TO THE AMENDED COMPLAINT

To the extent that this Schedule is incorporated by reference into allegations in the complaint, those allegations are made against Defendants Banc of America and CWALT.

Item 44. Details of trust and certificate(s).

(a) Dealer that sold the certificate(s) to the Bank: Banc of America.

(b) Description of the trust: Alternative Loan Trust, Mortgage Pass-Through Certificates, Series 2004-33 was a securitization in November 2004 of 2,422 mortgage loans, in four groups. The mortgage loans in the collateral pool of this securitization were originated or acquired by Countrywide Home Loans, Inc. CWALT 2004-33 Pros. Sup. S-4, S-14, and S-74.

(c) Description of the certificate(s) that the Bank purchased: Banc of America offered and sold to the Bank a senior certificate in this securitization, in tranche 3-A-2, for which the Bank paid \$194,922,901 plus accrued interest on November 30, 2004.

(d) Ratings of the certificate(s) when the Bank purchased them: Standard & Poor's • AAA; Moody's • Aaa.

(e) Current ratings of the certificate(s): Standard & Poor's • B; Moody's • Baa1.

(f) URL of prospectus supplement for this securitization: A true copy of the prospectus supplement for this securitization is available at

<http://www.sec.gov/Archives/edgar/data/1269518/000095012904009426/v03472e424b5.txt>.

Item 52. Untrue or misleading statements about the LTVs of the mortgage loans:

In the prospectus supplement, Banc of America and CWALT made the following statements about the LTVs of the mortgage loans in the collateral pool of this securitization.

(a) "No mortgage loan will have had a Loan-to-Value Ratio at origination of more than 100%." CWALT 2004-33 Pros. Sup. S-16.

(b) In the section of the prospectus supplement entitled "The Mortgage Pool," Banc of America presented tables of statistics about the mortgage loans in the collateral pool. CWALT 2004-33 Pros. Sup. S-18 to S-72. Each table focused on a certain characteristic of the loans (for example, current principal balances) and divided the loans into categories based on that characteristic (for example, loans with current principal balances of \$300,000.01 to \$350,000, \$350,000 to \$400,000, \$400,000.01 to \$450,000, etc.). Each table then presented various data about the loans in each category. Among these data was the "Weighted-Average Original Loan-to-Value Ratio." There were 18 such tables in "The Mortgage Pool" section for the subset of loans in group 1. In each table, the number of categories into which the loans were divided ranged from one to 28. Thus, in "The Mortgage Loans" section, Banc of America and CWALT made hundreds of statements about the weighted-average original LTVs of the loans in group 1. CWALT 2004-33 Pros. Sup. S-18 to S-29.

(c) As of the cut-off date, the weighted average original Loan-to-Value Ratio of the group 1 mortgage loans was approximately 71.95%." CWALT 2004-33 Pros. Sup. S-21.

(d) In "The Mortgage Pool" section, Banc of America and CWALT presented similar tables of statistics about the subset of mortgage loans in group 2. In these tables, Banc of America and CWALT similarly made hundreds of statements about the original LTVs of the loans in group 2. CWALT 2004-33 Pros. Sup. S-30 to S-43.

(e) "As of the cut-off date, the weighted average original Loan-to-Value Ratio of the group 2 mortgage loans was approximately 75.23%." CWALT 2004-33 Pros. Sup. S-34.

(f) In "The Mortgage Pool" section, Banc of America and CWALT presented similar tables of statistics about the subset of mortgage loans in group 3. In these tables, Banc of America and CWALT similarly made hundreds of statements about the original LTVs of the loans in group 3. CWALT 2004-33 Pros. Sup. S-44 to S-57.

(g) "As of the cut-off date, the weighted average original Loan-to-Value Ratio of the group 3 mortgage loans was approximately 74.70%." CWALT 2004-33 Pros. Sup. S-48.

(h) In "The Mortgage Pool" section, Banc of America and CWALT presented similar tables of statistics about the subset of mortgage loans in group 4. In these tables, Banc of America and CWALT similarly made hundreds of statements about the original LTVs of the loans in group 4. CWALT 2004-33 Pros. Sup. S-58 to S-72.

(i) "As of the cut-off date, the weighted average original Loan-to-Value Ratio of the group 4 mortgage loans was approximately 78.60%." CWALT 2004-33 Pros. Sup. S-63.

Item 62. Details of the results of the AVM analysis:

Number of loans	2,422
Number of properties on which there was enough information for the model to determine a true market value	1,499
Number of loans on which the stated value was 105% or more of the true market value as reported by the model	798
Aggregate amount by which the stated values of those properties exceeded their true market values as reported by the model	\$71,264,803
Number of loans on which the stated value was 95% or less of the true market value as reported by the model	253
Aggregate amount by which the true market values of those properties exceed their stated values	\$18,349,522
Number of loans with LTVs over 100%, as stated by Defendants	0
Number of loans with LTVs over 100%, as determined by the model	151
Weighted-average LTV, as stated by Defendants	74.70%
Weighted-average LTV, as determined by the model	84.6%

Item 71. Undisclosed additional liens:

- (a) Minimum number of properties with additional liens: 498
- (b) Total reduction in equity from additional liens: \$34,023,868
- (c) Weighted-average reduction in equity from additional liens: 70.1%

Item 82. Untrue or misleading statements about compliance with USPAP:

In the prospectus supplement Banc of America and CWALT made the following statement about the appraisals of the properties that secured the mortgage loans originated by

1 Countrywide Home Loans, Inc.: "All appraisals are required to conform to Fannie Mae or Freddie
2 Mac appraisal standards then in effect." CWALT 2004-33 Pros. Sup. S-76.

3 **Item 88. Untrue or misleading statements about owner-occupancy of the properties**
4 **that secured the mortgage loans:**

5 In the prospectus supplement, Banc of America and CWALT made the following
6 statements about the occupancy status of the properties that secured the mortgage loans in the
7 collateral pool of this securitization.

8 (a) In "The Mortgage Pool" section of the prospectus supplement, described in Item
9 52, Banc of America and CWALT presented a table entitled "Occupancy Types." This table
10 divided the subset of mortgage loans in group 1 into the categories "Primary Residence,"
11 "Investment Property," and "Secondary Residence." The table made untrue and misleading
12 statements about the number of mortgage loans, the aggregate principal balance outstanding, and
13 the percent of aggregate principal balance outstanding in each of these categories. CWALT 2004-
14 33 Pros. Sup. S-24.

15 (b) In the "Occupancy Types" table, Banc of America and CWALT stated that 77.5%
16 of the subset of loans in group 1 were secured by a "Primary Residence," 16.65% by an
17 "Investment Property," and 5.86% by a "Secondary Residence." CWALT 2004-33 Pros. Sup.
18 S-24.

19 (c) In "The Mortgage Pool" section, Banc of America and CWALT presented a
20 similar table entitled "Occupancy Types." This table divided the subset of mortgage loans in
21 group 2 into the categories "Primary Residence," "Investment Property," and "Secondary
22 Residence." The table made untrue and misleading statements about the number of mortgage
23 loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance
24 outstanding in each of these categories. CWALT 2004-33 Pros. Sup. S-38.
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(d) In the "Occupancy Types" table, Banc of America and CWALT stated that 89.07% of the subset of mortgage loans in group 2 were secured by an "Investment Property," 7.16% by an "Investment Property," and 3.77% by a "Secondary Residence." CWALT 2004-33 Pros. Sup. S-38.

(e) In "The Mortgage Pool" section, Banc of America and CWALT presented a similar table entitled "Occupancy Types." This table divided the subset of mortgage loans in group 3 into the categories "Primary Residence," "Investment Property," and "Secondary Residence." The table made untrue and misleading statements about the number of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance outstanding in each of these categories. CWALT 2004-33 Pros. Sup. S-52.

(f) In the "Occupancy Types" table, Banc of America and CWALT stated that 94.29% of the subset of mortgage loans in group 3 were secured by a "Primary Residence," 3.16% by an "Investment Property," and 2.55% by a "Secondary Residence." CWALT 2004-33 Pros. Sup. S-52.

(g) In "The Mortgage Pool" section, Banc of America and CWALT presented a similar table entitled "Occupancy Types." This table divided the subset of mortgage loans in group 4 into the categories "Primary Residence," "Investment Property," and "Secondary Residence." The table made untrue and misleading statements about the number of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance outstanding in each of these categories. CWALT 2004-33 Pros. Sup. S-67.

(h) In the "Occupancy Types" table, Banc of America and CWALT stated that 90.33% of the subset of mortgage loans in group 4 were secured by an "Investment Property," 6.49% by an "Investment Property," and 3.19% by a "Secondary Residence." CWALT 2004-33 Pros. Sup. S-67.

1 **Item 96. Details of properties that were stated to be owner-occupied, but were not:**

- 2 (a) Number of loans on which the owner of the property instructed tax
3 authorities to send property tax bills to him or her at a different address: 159
- 4 (b) Number of loans on which the owner of the property could have, but did not,
5 designate the property as his or her homestead: 255
- 6 (c) Number of loans on which the owner of the property owned three or more
7 properties: 16
- 8 (d) Eliminating duplicates, number of loans about which one or more of
9 statements (a) through (c) is true: 357

10 **Item 99. Untrue or misleading statements about the underwriting standards of the**
11 **originators of the mortgage loans:**

12 On pages S-74 to S-79 of the prospectus supplement, Banc of America and CWALT made
13 statements about the underwriting guidelines of Countrywide Home Loans, Inc. All of those
14 statements are incorporated herein by reference. In particular, Banc of America and CWALT
15 stated that:

- 16 (a) "Exceptions to Countrywide Home Loans' underwriting guidelines may be made
17 if compensating factors are demonstrated by a prospective borrower." CWALT 2004-33 Pros.
18 Sup. S-75.

19 **Item 106. Early payment defaults:**

- 20 (a) Number of the mortgage loans that suffered EPDs: 14
- 21 (b) Percent of the mortgage loans that suffered EPDs: 0.6%
- 22 (c) Percent of all securitized, non-agency prime (including Alt-A) mortgage loans
23 made at the same time as the loans in the collateral pool that experienced
24 EPDs: 0.14%

25 **Item 107. 90+ days delinquencies:**

- 26 (a) Number of the mortgage loans that suffered 90+ days delinquencies: 350
- 27 (b) Percent of the mortgage loans that suffered 90+ days delinquencies: 14.5%
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- (c) Percent of all securitized, non-agency prime (including Alt-A) mortgage loans made at the same time as the loans in the collateral pool that suffered 90+ days delinquencies: 7.2%

Item 108. 30+ days delinquencies in this securitization:

- (a) Number of the mortgage loans that were 30+ days delinquent on March 31, 2010: 331
- (b) Percent of the mortgage loans that were 30+ days delinquent on March 31, 2010: 13.7%
- (c) Percent of all mortgage loans in the United States that were 30+ days delinquent on March 31, 2010: 14.7%

Item 117. Statements about the ratings of the certificate(s) that the Bank purchased:

On pages S-3 and S-126 of the prospectus supplement, Banc of America and CWALT made statements about the ratings assigned to the certificates in Class 3-A-2 issued in this securitization. Banc of America and CWALT stated that the Bank's certificate was rated Aaa by Moody's Investors Service, Inc. and AAA by Standard & Poor's Rating Services. These were the highest ratings available from these two rating agencies.

Banc of America and CWALT also stated: "It is a condition to the issuance of the Class 3-A-2 Certificates that they be rated at least AAA by S&P and Aaa by Moody's." CWALT 2004-33 Pros. Sup. S-126.

Item 120. Summary of loans about which the Defendants made untrue or misleading statements:

- (a) Number of loans whose LTVs were materially understated: 798
- (b) Number of loans in which the owner's equity was reduced by 5% or more by undisclosed additional liens: 498
- (c) Number of loans that suffered EPDs: 14
- (d) Number of loans in which the properties were stated to be owner-occupied but were not: 357
- (e) Eliminating duplicates, number of loans about which the Defendants made untrue or misleading statements: 1,280

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(f) Eliminating duplicates, percent of loans about which the Defendants made untrue or misleading statements: 52.9%

SCHEDULE 74 TO THE AMENDED COMPLAINT

To the extent that this Schedule is incorporated by reference into allegations in the complaint, those allegations are made against Defendant Countrywide.

Item 44. Details of trust and certificate(s).

(a) **Dealer that sold the certificate(s) to the Bank:** Countrywide.

(b) **Description of the trust:** CitiMortgage Alternative Loan Trust, REMIC Pass-Through Certificates, Series 2007-A7 was a securitization in July 2007 of 2,869 mortgage loans, in three pools. The mortgage loans in the collateral pool of this securitization were originated by CitiMortgage, Inc., ABN AMRO Mortgage Group, Inc., and various undisclosed originators. CitiMortgage, Inc. originated 34.88% of the loans in Pool I and ABN AMRO Mortgage Group, Inc. originated 23.98%. CitiMortgage, Inc. originated 38.46 % of the loans in Pool II and ABN AMRO Mortgage Group, Inc. originated 28%. CitiMortgage, Inc. originated 78.96 % of the loans in Pool III and ABN AMRO Mortgage Group, Inc. originated 25.65%. CMALT 2007-A7 Pros. Sup. 26.

(c) **Description of the certificate(s) that the Bank purchased:** Countrywide offered and sold to the Bank two senior certificates in this securitization, in tranches IA-1 and IA-3, for which the Bank paid \$204,188,420 and \$75,940,366, respectively, plus accrued interest, on July 30, 2007.

(d) **Ratings of the certificate(s) when the Bank purchased them:**

Class IA-1: Moody's - Aaa; Fitch - AAA.
Class IA-3: Moody's - Aaa; Fitch - AAA.

(e) **Current ratings of the certificate(s):**

Class IA-1: Moody's - Caa1; Fitch - CCC.
Class IA-3: Moody's - Caa2; Fitch - CCC.

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(f) URL of prospectus supplement for this securitization: A true copy of the prospectus supplement for this securitization is available at <http://www.sec.gov/Archives/edgar/data/811785/000140102507000040/cmalt2007-a7424b5.htm>

Item 52. Untrue or misleading statements about the LTVs of the mortgage loans:

In the prospectus supplement, Countrywide made the following statements about the LTVs of the mortgage loans in the collateral pool of this securitization.

(a) At origination, 7.28% of the mortgage loans in Pool I had an LTV greater than 80% and 1.01% had an LTV greater than 90%. CMALT 2007-A7 Pros. Sup. 10.

(b) The weighted-average LTV at origination of the mortgage loans in Pool I was 74.71%. CWALT 2007-A7 Pros. Sup. 10.

(c) At origination, 1.24% of the mortgage loans in Pool II had an LTV greater than 80% and 0.03% had an LTV greater than 90%. CMALT 2007-A7 Pros. Sup. 10.

(d) The weighted-average LTV at origination of the mortgage loans in Pool II was 71.71%. CMALT 2007-A7 Pros. Sup. 10.

(e) At origination, 4.41% of the mortgage loans in Pool III had an LTV greater than 80%. CMALT 2007-A7 Pros. Sup. 10.

(f) The weighted-average LTV at origination of the mortgage loans in Pool III was 56.98%. CMALT 2007-A7 Pros. Sup. 10.

(g) At origination, 3.79% of the mortgage loans in the collateral pool had an LTV greater than 80% and 0.43% had an LTV greater than 90%. CMALT 2007-A7 Pros. Sup. 10.

(h) At origination, none of the mortgage loans in the collateral pool had an LTV greater than 95%. CMALT 2007-A7 Pros. Sup. 10.

(i) The weighted-average LTV at origination of all of the loans in the collateral pool was 72.57%." CMALT 2007-A7 Pros. Sup. 10.

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(j) In the Appendix to the prospectus supplement ("Detailed description of the mortgage loans"), Countrywide presented a table entitled "Distribution by loan-to-value ratio at origination." This table divided the mortgage loans in Pool I, the loans in Pool II, the loans in Pool III, and all of the loans in the collateral pool into six categories of original LTV (for example, 65% and below, 65.001% to 75%, 75.001% to 80%, etc.). The table made untrue and misleading statements about the number of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance outstanding in each of these categories. CMALT 2007-A7 Pros. Sup. 34.

(k) In the Appendix, Countrywide presented a table entitled "Distribution by FICO scores and loan-to-value ratios at origination." This table divided the mortgage loans in Pool I, the loans in Pool II, and the loans in Pool III into six categories of FICO scores (for example, less than 620, 620 to 649, 650 to 699, etc.). This table then divided each FICO score category into six ranges of LTV at origination (for example, 65% and below, 65.001% to 75%, 75.001% to 80%, etc.). For each FICO score category, Countrywide stated the percentage of the loans in that category that fell within each LTV range. In addition, Countrywide also stated the percentage of the loans in each of Pool I, Pool II, and Pool III that fell into each LTV range. CMALT 2007-A7 Pros. Sup. 37.

(l) "Each mortgage loan will usually have an original principal balance that is not more than 95% of the value of the mortgaged property (a 95% loan-to-value ratio)." CMALT 2007-A7 Pros. 76.

Item 62. Details of the results of the AVM analysis:

Number of loans	2869
Number of properties on which there was enough information for the model to determine a true market value	1,701
Number of loans on which the stated value was 105% or more of the true market value as reported by the model	1,205
Aggregate amount by which the stated values of those properties exceeded their true market values as reported by the model	\$129,351,540
Number of loans on which the stated value was 95% or less of the true market value as reported by the model	148
Aggregate amount by which the true market values of those properties exceed their stated values	\$12,944,230
Number of loans with LTVs over 100%, as stated by Defendants	0
Number of loans with LTVs over 100%, as determined by the model	271
Weighted-average LTV, as stated by Defendants	72.57%
Weighted-average LTV, as determined by the model	88.6%

Item 65. Evidence from subsequent sales of refinanced properties:

Of the 2,869 mortgage loans in the collateral pool, 1,870 were taken out to refinance, rather than to purchase, properties. For those 1,870 loans, the value (denominator) in the LTV was an appraised value rather than a sale price. Of those 1,870 properties, 116 were subsequently sold for a total of approximately \$37,994,059. The total value ascribed to those same properties in the LTV data reported in the prospectus supplements and other documents sent to the Bank was \$56,418,000. Thus, those properties were sold for 67.3% of the value ascribed to them, a difference of 32.7%. This difference cannot be accounted for by declines in house prices in the areas in which those properties were located.

Item 88. Untrue or misleading statements about owner-occupancy of the properties that secured the mortgage loans:

In the prospectus supplement, Countrywide made the following statements about the occupancy status of the properties that secured the mortgage loans in the collateral pool of this securitization.

(a) As of the cut-off date, 83.12% of the mortgage loans in Pool I were determined by Citicorp Mortgage Securities, Inc. ("CMSI") to be the primary residence of the homeowner.

CMALT 2007-A7 Pros. Sup. 9.

(b) As of the cut-off date, 93.04% of the mortgage loans in Pool II were determined by CMSI to be the primary residence of the homeowner. CMALT 2007-A7 Pros. Sup. 9.

(c) As of the cut-off date, 84.41% of the mortgage loans in Pool III were determined by CMSI to be the primary residence of the homeowner. CMALT 2007-A7 Pros. Sup. 9.

(d) As of the cut-off date, 88.76% of all of the mortgage loans combined were determined by CMSI to be the primary residence of the homeowner. CMALT 2007-A7 Pros. Sup. 9.

(e) As of the cut-off date, 14.41% of the mortgage loans in Pool I were determined by CMSI to be investment properties. CMALT 2007-A7 Pros. Sup. 9.

(f) As of the cut-off date, 4.98% of the mortgage loans in Pool II were determined by CMSI to be investment properties. CMALT 2007-A7 Pros. Sup. 9.

(g) As of the cut-off date, 15.40% of the mortgage loans in Pool III were determined by CMSI to be investment properties. CMALT 2007-A7 Pros. Sup. 9.

(h) As of the cut-off date, 9.11% of all of the mortgage loans combined were determined by CMSI to be investment properties. CMALT 2007-A7 Pros. Sup. 9.

Item 96. Details of properties that were stated to be owner-occupied, but were not:

(a) **Number of loans on which the owner of the property instructed tax authorities to send property tax bills to him or her at a different address: 223**

(b) **Number of loans on which the owner of the property could have, but did not, designate the property as his or her homestead: 337**

(c) **Number of loans on which the owner of the property owned three or more properties: 60**

(d) Number of loans that went straight from current to foreclosure or ownership by lender: 1

(e) Eliminating duplicates, number of loans about which one or more of statements (a) through (d) is true: 551

Item 99. Untrue or misleading statements about the underwriting standards of the originators of the mortgage loans:

On pages 80 through 83 of the prospectus, Countrywide made statements about the underwriting guidelines of CitiMortgage, Inc. All of those statements are incorporated herein by reference.

On page 83 of the prospectus, Countrywide made statements about the underwriting guidelines of third party originators, including ABN AMRO Mortgage Group, Inc. All of those statements are incorporated herein by reference. In particular, Countrywide stated that:

(a) "Mortgage loan underwriting assesses a prospective borrower's ability and willingness to repay, and the adequacy of the property as collateral for, a requested loan."

CMALT 2007-A7 Pros. Sup. 80.

Item 106. Early payment defaults:

(a) Number of the mortgage loans that suffered EPDs: 38

(b) Percent of the mortgage loans that suffered EPDs: 1.3%

(c) Percent of all securitized, non-agency prime (including Alt-A) mortgage loans made at the same time as the loans in the collateral pool that experienced EPDs: 0.83%

Item 107. 90+ days delinquencies:

(a) Number of the mortgage loans that suffered 90+ days delinquencies: 820

(b) Percent of the mortgage loans that suffered 90+ days delinquencies: 28.6%

(c) Percent of all securitized, non-agency prime (including Alt-A) mortgage loans made at the same time as the loans in the collateral pool that suffered 90+ days delinquencies: 33.9%

Item 108. 30+ days delinquencies in this securitization:

- (a) Number of the mortgage loans that were 30+ days delinquent on March 31, 2010: 822
- (b) Percent of the mortgage loans that were 30+ days delinquent on March 31, 2010: 28.7%
- (c) Percent of all mortgage loans in the United States that were 30+ days delinquent on March 31, 2010: 14.7%

Item 117. Statements about the ratings of the certificate(s) that the Bank purchased:

On page S-3 and of the prospectus supplement and pages 41 to 42 of the prospectus, Countrywide Home Loans, Inc. and CWALT made statements about the ratings assigned to the certificates issued in this securitization. Countrywide Home Loans, Inc. and CWALT stated that the Bank's certificates were rated Aaa by Moody's Investors Service, Inc. and AAA by Fitch Ratings. These were the highest ratings available from these two rating agencies.

Item 120. Summary of loans about which the Defendants made untrue or misleading statements:

- (a) Number of loans whose LTVs were materially understated: 1,205
- (b) Number of loans that suffered EPDs: 38
- (c) Number of loans in which the properties were stated to be owner-occupied but were not: 551
- (d) Eliminating duplicates, number of loans about which the Defendants made untrue or misleading statements: 1,505
- (e) Eliminating duplicates, percent of loans about which the Defendants made untrue or misleading statements: 52.5%

SCHEDULE 75 TO THE AMENDED COMPLAINT

To the extent that this Schedule is incorporated by reference into allegations in the complaint, those allegations are made against Defendants Countrywide, CWALT, and Countrywide Financial Corporation.

Item 44. Details of trust and certificate(s).

(a) **Dealer that sold the certificate(s) to the Bank:** Countrywide.

(b) **Description of the trust:** Alternative Loan Trust, Mortgage Pass-Through Certificates, Series 2006-2CB was a securitization in January 2006 of 3,307 mortgage loans, in one pool. The mortgage loans in the collateral pool of this securitization were originated or acquired by Countrywide Home Loans, Inc. CWALT 2006-2CB Pros. Sup. S-4, S-24, and S-37.

(c) **Description of the certificate(s) that the Bank purchased:** Countrywide offered and sold to the Bank a senior certificate in this securitization, in tranche A-1, for which the Bank paid \$214,521,291 plus accrued interest on January 30, 2006.

(d) **Ratings of the certificate(s) when the Bank purchased them:**

Moody's - Aaa; Fitch - AAA.

(e) **Current ratings of the certificate(s):**

Moody's - B3; Fitch - CC.

(f) **URL of prospectus supplement for this securitization:** A true copy of the prospectus supplement for this securitization is available at <http://www.sec.gov/Archives/edgar/data/1269518/000095012906000810/v16185b5e424b5.txt>

(g) **Registration statement pursuant or traceable to which the certificate(s) were issued:** Certificates in this trust, including the certificate that the Bank purchased, were issued pursuant or traceable to a registration statement filed by CWALT, Inc. with the SEC on form S-3 on July 25, 2005. Annexed to the registration statement was a prospectus. The prospectus was

1 amended from time to time by prospectus supplements whenever a new series of certificates was
2 issued pursuant or traceable to that registration statement.

3 **Item 52. Untrue or misleading statements about the LTVs of the mortgage loans:**

4 In the prospectus supplement, Countrywide and CWALT made the following statements
5 about the LTVs of the mortgage loans in the collateral pool of this securitization.

6 (a) The weighted-average original LTV of all of the mortgage loans in the collateral
7 pool was 76.57%. CWALT 2006-2CB Pros. Sup. S-5.

8 (b) "No mortgage loan had a loan-to-value ratio at origination of more than 95.00%."
9 CWALT 2006-2CB Pros. Sup. S-25.

10 (c) In the section of the prospectus supplement entitled "The Mortgage Pool,"
11 Countrywide and CWALT presented tables of statistics about the mortgage loans in the collateral
12 pool. Each table focused on a certain characteristic of the loans (for example, current principal
13 balance) and divided the loans into categories based on that characteristic (for example, loans
14 with principal balances of \$0.01 to \$50,000, \$50,000.01 to \$100,000, \$100,000.01 to \$150,000,
15 etc.). Each table then presented various data about the loans in each category. Among these data
16 was the "Weighted-Average Original Loan-to-Value Ratio." There were 12 such tables in "The
17 Mortgage Pool" section. In each table, the number of categories into which the loans were divided
18 ranged from two to 40. Thus, in "The Mortgage Pool" section, Countrywide and CWALT made
19 hundreds of statements about the original LTVs of the loans in the collateral pool. CWALT 2006-
20 2CB S-27 to S-35.

21 (d) "As of the cut-off date, the weighted average original Loan-to-Value Ratio of the
22 mortgage loans was approximately 76.57%." CWALT 2006-2CB Pros. Sup. S-31.

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Item 62. Details of the results of the AVM analysis:

Number of loans	3,307
Number of properties on which there was enough information for the model to determine a true market value	2,142
Number of loans on which the stated value was 105% or more of the true market value as reported by the model	1,209
Aggregate amount by which the stated values of those properties exceeded their true market values as reported by the model	\$73,629,865
Number of loans on which the stated value was 95% or less of the true market value as reported by the model	264
Aggregate amount by which the true market values of those properties exceed their stated values	\$14,173,923
Number of loans with LTVs over 100%, as stated by Defendants	0
Number of loans with LTVs over 100%, as determined by the model	196
Weighted-average LTV, as stated by Defendants	76.57%
Weighted-average LTV, as determined by the model	84.3%

Item 65. Evidence from subsequent sales of refinanced properties:

Of the 3,307 mortgage loans in the collateral pool, 1,267 were taken out to refinance, rather than to purchase, properties. For those 1,267 loans, the value (denominator) in the LTV was an appraised value rather than a sale price. Of those 1,267 properties, 152 were subsequently sold for a total of approximately \$45,063,860. The total value ascribed to those same properties in the LTV data reported in the prospectus supplements and other documents sent to the Bank was \$60,303,400. Thus, those properties were sold for 74.7% of the value ascribed to them, a difference of 25.3%. This difference cannot be accounted for by declines in house prices in the areas in which those properties were located.

Item 82. Untrue or misleading statements about compliance with USPAP:

In the prospectus supplement, Countrywide and CWALT made the following statement about the appraisals of the properties that secured the mortgage loans originated by Countrywide Home Loans, Inc. "All appraisals are required to conform to Fannie Mae or Freddie Mac appraisal standards then in effect." CWALT 2006-2CB Pros. Sup S-39.

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Item 88. Untrue or misleading statements about owner-occupancy of the properties that secured the mortgage loans:

In the prospectus supplement, Countrywide and CWALT made the following statements about the occupancy status of the properties that secured the mortgage loans in the collateral pool of this securitization.

(a) In "The Mortgage Pool" section of the prospectus supplement, described in Item 52, Countrywide and CWALT presented a table entitled "Occupancy Types." This table divided all of the mortgage loans in the collateral pool into the categories "Primary Residence," "Investment Property," and "Secondary Residence." The table made untrue and misleading statements about the number of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance outstanding in each of these categories. CWALT 2006-2CB Pros. Sup. S-33.

(b) In the "Occupancy Types" table, Countrywide and CWALT stated that 86.37% of the mortgage loans in the collateral pool were secured by a "Primary Residence," 8.29% by an "Investment Property," and 5.34% by a "Secondary Residence." CWALT 2006-2CB Pros. Sup. S-33.

Item 96. Details of properties that were stated to be owner-occupied, but were not:

- (a) Number of loans on which the owner of the property instructed tax authorities to send property tax bills to him or her at a different address: 256
- (b) Number of loans on which the owner of the property could have, but did not, designate the property as his or her homestead: 374
- (c) Number of loans on which the owner of the property owned three or more properties: 19
- (d) Eliminating duplicates, number of loans about which one or more of statements (a) through (c) is true: 564

1 **Item 99. Untrue or misleading statements about the underwriting standards of the**
 2 **originators of the mortgage loans:**

3 On pages S-37 through S-41 of the prospectus supplement, Countrywide and CWALT
 4 made statements about the underwriting guidelines of Countrywide Home Loans, Inc. All of those
 5 statements are incorporated herein by reference. In particular, Countrywide and CWALT stated
 6 that:

7 (a) "Exceptions to Countrywide Home Loans' underwriting guidelines may be made
 8 if compensating factors are demonstrated by a prospective borrower." CWALT 2006-2CB Pros.
 9 Sup. S-38.

10 (b) "Countrywide Home Loans' underwriting standards are applied by or on behalf of
 11 Countrywide Home Loans to evaluate the prospective borrower's credit standing and repayment
 12 ability and the value and adequacy of the mortgaged property as collateral." CWALT 2006-2CB
 13 Pros. Sup. S-38.

14 **Item 107. 90+ days delinquencies:**

- 15 (a) Number of the mortgage loans that suffered 90+ days delinquencies: 924
 16 (b) Percent of the mortgage loans that suffered 90+ days delinquencies: 27.9%
 17 (c) Percent of all securitized, non-agency prime (including Alt-A) mortgage loans
 18 made at the same time as the loans in the collateral pool that suffered 90+
 19 days delinquencies: 32.7%
 20

21 **Item 108. 30+ days delinquencies in this securitization:**

- 22 (a) Number of the mortgage loans that were 30+ days delinquent on March 31,
 23 2010: 946
 24 (b) Percent of the mortgage loans that were 30+ days delinquent on March 31,
 25 2010: 28.6%
 26 (c) Percent of all mortgage loans in the United States that were 30+ days
 27 delinquent on March 31, 2010: 14.7%
 28

Item 117. Statements about the ratings of the certificate(s) that the Bank purchased:

On pages S-7 and S-92 of the prospectus supplement, Countrywide Home Loans, Inc. and CWALT made statements about the ratings assigned to the certificates issued in this securitization. Countrywide Home Loans, Inc. and CWALT stated that the Bank's certificate was rated Aaa by Moody's Investors Service, Inc. and AAA by Fitch Ratings. These were the highest ratings available from these two rating agencies.

Countrywide Home Loans, Inc. and CWALT also stated: "The offered certificates will not be offered unless they are assigned the indicated ratings by Fitch Ratings ('FITCH') and by Moody's Investors Service, Inc. ('MOODY'S')." CWALT 2006-2CB Pros. Sup. S-7.

Countrywide Home Loans, Inc. and CWALT also stated: "It is a condition to the issuance of the senior certificates . . . that they be rated "AAA" by Fitch Ratings, Inc. ("Fitch") and "Aaa" by Moody's Investors Service, Inc. ("Moody's")." CWALT 2006-2CB Pros. Sup. S-92.

Item 120. Summary of loans about which the Defendants made untrue or misleading statements:

- (a) Number of loans whose LTVs were materially understated: 1,209
- (b) Number of loans in which the owner's equity was reduced by 5% or more by undisclosed additional liens: 394
- (c) Number of loans in which the properties were stated to be owner-occupied but were not: 564
- (d) Eliminating duplicates, number of loans about which the Defendants made untrue or misleading statements: 1,744
- (e) Eliminating duplicates, percent of loans about which the Defendants made untrue or misleading statements: 52.7%

1 **SCHEDULE 76 TO THE AMENDED COMPLAINT**

2 To the extent that this Schedule is incorporated by reference into allegations in the
3 complaint, those allegations are made against Defendants Countrywide, CWALT, and
4 Countrywide Financial Corporation.

5 **Item 44. Details of trust and certificate(s).**

6 (a) **Dealer that sold the certificate(s) to the Bank:** Countrywide.

7 (b) **Description of the trust:** Alternative Loan Trust, Mortgage Pass-Through
8 Certificates, Series 2005-75CB was a securitization in November 2005 of 2,000 mortgage loans,
9 in one pool. The mortgage loans in the collateral pool of this securitization were originated or
10 acquired by Countrywide Home Loans, Inc. CWALT 2005-75CB Pros. Sup. S-3, S-13, and S-24.

11 (c) **Description of the certificate(s) that the Bank purchased:** Countrywide offered
12 and sold to the Bank a senior certificate in this securitization, in tranche A-1, for which the Bank
13 paid \$200,000,000 plus accrued interest on November 21, 2005.

14 (d) **Ratings of the certificate(s) when the Bank purchased them:**

15 Moody's - Aaa; Standard & Poor's. - AAA.

16 (e) **Current ratings of the certificate(s):**

17 Moody's - Caa1; Standard & Poor's. - BB+.

18 (f) **URL of prospectus supplement for this securitization:** A true copy of the
19 prospectus supplement for this securitization is available at

20 <http://www.sec.gov/Archives/edgar/data/1269518/000095012905011393/v14708b5e424b5.txt>

21 (g) **Registration statement pursuant or traceable to which the certificate(s) were**
22 **issued:** Certificates in this trust, including the certificate that the Bank purchased, were issued
23 pursuant or traceable to a registration statement filed by CWALT, Inc. with the SEC on form S-3
24

1 on July 25, 2005. Annexed to the registration statement was a prospectus. The prospectus was
 2 amended from time to time by prospectus supplements whenever a new series of certificates was
 3 issued pursuant or traceable to that registration statement.

4 **Item 52. Untrue or misleading statements about the LTVs of the mortgage loans:**

5 In the prospectus supplement, Countrywide and CWALT made the following statements
 6 about the LTVs of the mortgage loans in the collateral pool of this securitization.

7 (a) "No mortgage loan had a Loan-to-Value ratio at origination of more than
 8 100.00%." CWALT 2005-75CB Pros. Sup. S-14.

9 (b) In the section of the prospectus supplement entitled "The Mortgage Pool,"
 10 Countrywide and CWALT presented tables of statistics about the mortgage loans in the collateral
 11 pool. Each table focused on a certain characteristic of the loans (for example, current principal
 12 balance) and divided the loans into categories based on that characteristic (for example, loans
 13 with principal balances of \$0.01 to \$50,000, \$50,000.01 to \$100,000, \$100,000.01 to \$150,000,
 14 etc.). Each table then presented various data about the loans in each category. Among these data
 15 was the "Weighted-Average Original Loan-to-Value Ratio." There were 10 such tables in "The
 16 Mortgage Pool" section. In each table, the number of categories into which the loans were divided
 17 ranged from three to 30. Thus, in "The Mortgage Pool" section, Countrywide and CWALT made
 18 hundreds of statements about the original LTVs of the loans in the collateral pool. CWALT 2005-
 19 75CB S-16 to S-22.

20 (c) "As of the cut-off date, the weighted average original Loan-to-Value Ratio of the
 21 mortgage loans was approximately 67.99%." CWALT 2005-75CB Pros. Sup. S-19.

Item 62. Details of the results of the AVM analysis:

Number of loans	2,000
Number of properties on which there was enough information for the model to determine a true market value	1,140
Number of loans on which the stated value was 105% or more of the true market value as reported by the model	636
Aggregate amount by which the stated values of those properties exceeded their true market values as reported by the model	\$34,877,697
Number of loans on which the stated value was 95% or less of the true market value as reported by the model	166
Aggregate amount by which the true market values of those properties exceed their stated values	\$11,167,500
Number of loans with LTVs over 100%, as stated by Defendants	0
Number of loans with LTVs over 100%, as determined by the model	55
Weighted-average LTV, as stated by Defendants	67.99%
Weighted-average LTV, as determined by the model	74.3%

Item 65. Evidence from subsequent sales of refinanced properties:

Of the 2,000 mortgage loans in the collateral pool, 1,426 were taken out to refinance, rather than to purchase, properties. For those 1,426 loans, the value (denominator) in the LTV was an appraised value rather than a sale price. Of those 1,426 properties, 143 were subsequently sold for a total of approximately \$40,702,604. The total value ascribed to those same properties in the LTV data reported in the prospectus supplements and other documents sent to the Bank was \$47,687,600. Thus, those properties were sold for 85.4% of the value ascribed to them, a difference of 14.6%. This difference cannot be accounted for by declines in house prices in the areas in which those properties were located.

Item 71. Undisclosed additional liens:

- (a) Minimum number of properties with additional liens: 176
- (b) Total reduction in equity from additional liens: \$8,783,838
- (c) Weighted-average reduction in equity from additional liens: 54.3%

Item 82. Untrue or misleading statements about compliance with USPAP:

In the prospectus supplement, Countrywide Home Loans, Inc. and CWALT made the following statement about the appraisals of the properties that secured the mortgage loans originated by Countrywide Home Loans, Inc. "All appraisals are required to conform to Fannie Mae or Freddie Mac appraisal standards then in effect." CWALT 2005-75CB Pros. Sup S-26.

Item 88. Untrue or misleading statements about owner-occupancy of the properties that secured the mortgage loans:

In the prospectus supplement, Countrywide and CWALT made the following statements about the occupancy status of the properties that secured the mortgage loans in the collateral pool of this securitization.

(a) In "The Mortgage Pool" section of the prospectus supplement, described in Item 52, Countrywide and CWALT presented a table entitled "Occupancy Types." This table divided the mortgage loans in the collateral pool into the categories "Primary Residence," "Investment Property," and "Secondary Residence." The table made untrue and misleading statements about the number of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance outstanding in each of these categories. CWALT 2005-75CB Pros. Sup. S-22.

(b) In the "Occupancy Types" table, Countrywide and CWALT stated that 91.86% of the mortgage loans in the collateral pool were secured by a "Primary Residence," 3.43% by an "Investment Property," and 4.71% by a "Secondary Residence." CWALT 2005-75CB Pros. Sup. S-22.

Item 96. Details of properties that were stated to be owner-occupied, but were not:

- (a) Number of loans on which the owner of the property instructed tax authorities to send property tax bills to him or her at a different address: 166
- (b) Number of loans on which the owner of the property could have, but did not, designate the property as his or her homestead: 189

(c) Number of loans on which the owner of the property owned three or more properties: 16

(d) Eliminating duplicates, number of loans about which one or more of statements (a) through (c) is true: 321

Item 99. Untrue or misleading statements about the underwriting standards of the originators of the mortgage loans:

On pages S-24 through S-29 of the prospectus supplement, Countrywide made statements about the underwriting guidelines of Countrywide Home Loans, Inc. All of those statements are incorporated herein by reference. In particular, Countrywide stated that:

(a) "Exceptions to Countrywide Home Loans' underwriting guidelines may be made if compensating factors are demonstrated by a prospective borrower." CWALT 2005-75CB Pros. Sup. S-25.

(b) "Countrywide Home Loans' underwriting standards are applied by or on behalf of Countrywide Home Loans to evaluate the prospective borrower's credit standing and repayment ability and the value and adequacy of the mortgaged property as collateral." CWALT 2005-75CB Pros. Sup. S-25.

Item 108. 30+ days delinquencies in this securitization:

(a) Number of the mortgage loans that were 30+ days delinquent on March 31, 2010: 265

(b) Percent of the mortgage loans that were 30+ days delinquent on March 31, 2010: 13.3%

(c) Percent of all mortgage loans in the United States that were 30+ days delinquent on March 31, 2010: 14.7%

Item 117. Statements about the ratings of the certificate(s) that the Bank purchased:

On pages S-3 and S-70 of the prospectus supplement, Countrywide Home Loans, Inc. and CWALT made statements about the ratings assigned to the certificates issued in this securitization. Countrywide Home Loans, Inc. and CWALT stated that the Bank's certificate was

1 rated Aaa by Moody's Investors Service, Inc. and AAA by Standard & Poor's. These were the
2 highest ratings available from these two rating agencies.

3 Countrywide Home Loans, Inc. and CWALT also stated: "It is a condition to the issuance
4 of the senior certificates that they be rated 'AAA' by Standard & Poor's. . . ('S&P'). It is a
5 condition to the issuance of the senior certificates that they be rated "Aaa" by Moody's Investors
6 Service, Inc. ('Moody's').." CWALT 2005-75CB Pros. Sup. S-70.

7
8 **Item 120. Summary of loans about which the Defendants made untrue or misleading
9 statements:**

- 10 (a) Number of loans whose LTVs were materially understated: 636
11 (b) Number of loans in which the properties were stated to be owner-occupied
12 but were not: 321
13 (d) Eliminating duplicates, number of loans about which the Defendants made
14 untrue or misleading statements: 1,462
15 (e) Eliminating duplicates, percent of loans about which the Defendants made
16 untrue or misleading statements: 44.2%

SCHEDULE 77 TO THE AMENDED COMPLAINT

To the extent that this Schedule is incorporated by reference into allegations in the complaint, those allegations are made against Defendants Countrywide, CWALT, and Countrywide Financial Corporation.

Item 44. Details of trust and certificate(s).

(a) **Dealer that sold the certificate(s) to the Bank:** Countrywide.

(b) **Description of the trust:** Alternative Loan Trust, Mortgage Pass-Through Certificates, Series 2005-57CB was a securitization in October 2005 of 4,080 mortgage loans,² in three groups. The mortgage loans in the collateral pool of this securitization were originated or acquired by Countrywide Home Loans, Inc. CWALT 2005-57CB Pros. Sup. S-4, S-17 and S-43.

(c) **Description of the certificate(s) that the Bank purchased:** Countrywide offered and sold to the Bank two senior certificates in this securitization, in tranche 3-A-1 and tranche 4-A-1, for which the Bank paid \$108,461,000 and \$116,488,000 plus accrued interest, respectively, on October 31, 2005.

(d) **Ratings of the certificate(s) when the Bank purchased them:**

Class 3-A-1 certificate: Moody's – Aaa; Fitch AAA.

Class 4-A-1 certificate: Moody's – Aaa; Fitch AAA.

(e) **Current ratings of the certificate(s):**

Class 3-A-1 certificate: Moody's – Caa2; Fitch CCC.

Class 4-A-1 certificate: Moody's – Caa2; Fitch CCC.

² CWALT 2005-57CB was a prefunded securitization. On the closing date of the securitization there were 4,080 mortgage loans in the trust. After the closing date of the securitization, the trust purchased an additional 156 mortgage loans.

(f) URL of prospectus supplement for this securitization: A true copy of the prospectus supplement for this securitization is available at <http://www.sec.gov/Archives/edgar/data/1269518/000095012905010428/v13636e424b5.txt>.

(g) Registration statement pursuant or traceable to which the certificate(s) were issued: Certificates in this trust, including the certificates that the Bank purchased, were issued pursuant or traceable to a registration statement filed by CWALT, Inc. with the SEC on form S-3 on July 25, 2005. Annexed to the registration statement was a prospectus. The prospectus was amended from time to time by prospectus supplements whenever a new series of certificates was issued pursuant or traceable to that registration statement.

Item 52. Untrue or misleading statements about the LTVs of the mortgage loans:

In the prospectus supplement, Countrywide and CWALT made the following statements about the LTVs of the mortgage loans in the collateral pool of this securitization.

(a) "No Initial Mortgage Loan in any loan group had a Loan-to-Value Ratio at origination of more than 100.00%." CWALT 2005-57CB Pros. Sup. S-18.

(b) In the section of the prospectus supplement entitled "The Mortgage Pool," Countrywide and CWALT presented tables of statistics about the mortgage loans in the collateral pool. CWALT 2005-57CB Pros. Sup. S-20 to S-40. Each table focused on a certain characteristic of the loans (for example, current principal balance) and divided the loans into categories based on that characteristic (for example, loans with current principal balances of \$0.01 to \$50,000, \$50,000.01 to \$100,000, \$100,000.01 to \$150,000, etc.). Each table then presented various data about the loans in each category. Among these data was the "Weighted Average Original Loan-to-Value Ratio." There were 10 such tables in "The Mortgage Pool" section for the loans in loan group 1. In each table, the number of categories into which the loans were divided ranged from one to 25. Thus, in "The Mortgage Loans" section of the prospectus supplement, Countrywide

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1 and CWALT made hundreds of statements about original loan-to-value ratios in loan group 1.
2 CWALT 2005-57CB S-20 to S-26.

3 (c) "As of the initial cut-off date, the weighted average original Loan-to-Value Ratio
4 of the Initial Mortgage Loans in loan group 1 is approximately 79.03%." CWALT 2005-57CB
5 Pros. Sup. S-23.

6 (d) In "The Mortgage Pool" section, Countrywide and CWALT presented similar
7 tables of statistics about the mortgage loans in group 3. In these tables, Countrywide and CWALT
8 similarly made hundreds of statements about the original LTVs of the loans in loan group 3.
9 CWALT 2005-57CB S-26 to S-33.

10 (e) "As of the cut-off date, the weighted average original Loan-to-Value Ratio of the
11 Mortgage Loans in loan group 3 is approximately 71.84%." CWALT 2005-57CB Pros. Sup. S-
12 30.

13 (f) In "The Mortgage Pool" section, Countrywide and CWALT presented similar
14 tables of statistics about the mortgage loans in loan group 4. In these tables, Countrywide and
15 CWALT similarly made hundreds of statements about the original LTVs of the loans in loan
16 group 4. CWALT 2005-57CB S-34 to S-40.

17 (g) "As of the cut-off date, the weighted average original Loan-to-Value Ratio of the
18 Mortgage Loans in loan group 4 is approximately 70.88%." CWALT 2005-57CB Pros. Sup. S-
19 37.

Item 62. Details of the results of the AVM analysis:

Number of loans	4,236
Number of properties on which there was enough information for the model to determine a true market value	2,490
Number of loans on which the stated value was 105% or more of the true market value as reported by the model	1,368
Aggregate amount by which the stated values of those properties exceeded their true market values as reported by the model	\$67,340,935
Number of loans on which the stated value was 95% or less of the true market value as reported by the model	359
Aggregate amount by which the true market values of those properties exceed their stated values	\$16,843,876
Number of loans with LTVs over 100%, as stated by Defendants	0
Number of loans with LTVs over 100%, as determined by the model	186
Weighted-average LTV, as stated by Defendants (group 3)	71.84%
Weighted-average LTV, as determined by the model (group 3)	79.68%
Weighted-average LTV, as stated by Defendants (group 4)	70.88%
Weighted-average LTV, as determined by the model (group 4)	77.73%

Item 65. Evidence from subsequent sales of refinanced properties:

Of the 4,236 mortgage loans in the collateral pool, 1,710 were taken out to refinance, rather than to purchase, properties. For those 1,710 loans, the value (denominator) in the LTV was an appraised value rather than a sale price. Of those 1,710 properties, 190 were subsequently sold for a total of approximately \$54,890,945. The total value ascribed to those same properties in the LTV data reported in the prospectus supplements and other documents sent to the Bank was \$62,926,900. Thus, those properties were sold for 87.2% of the value ascribed to them, a difference of 12.8%. This difference cannot be accounted for by declines in house prices in the areas in which those properties were located.

Item 71. Undisclosed additional liens:

- (a) Minimum number of properties with additional liens: 1,604
- (b) Total reduction in equity from additional liens: \$67,935,152
- (c) Weighted-average reduction in equity from additional liens: 77.3%

Item 82. Untrue or misleading statements about compliance with USPAP:

In the prospectus supplement, Countrywide Home Loans, Inc. and CWALT made the following statement about the appraisals of the properties that secured the mortgage loans originated by Countrywide Home Loans, Inc. "All appraisals are required to conform to Fannie Mae or Freddie Mac appraisal standards then in effect." CWALT 2005-57CB Pros. Sup S-45.

Item 88. Untrue or misleading statements about owner-occupancy of the properties that secured the mortgage loans:

In the prospectus supplement, Countrywide made the following statements about the occupancy status of the properties that secured the mortgage loans in the collateral pool of this securitization.

(a) In "The Mortgage Pool" section of the prospectus supplement, described in Item 52, Countrywide and CWALT presented a table entitled "Occupancy Types." This table stated that 100% of the mortgage loans in loan group 1 were secured by a "Primary Residence." CWALT 2005-57CB Pros. Sup. S-25.

(b) In "The Mortgage Pool" section, Countrywide and CWALT presented another table entitled "Occupancy Types." This table divided the mortgage loans in loan group 3 into the categories "Primary Residence," "Investment Property," and "Secondary Residence." The table made untrue and misleading statements about the number of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance outstanding in each of these categories. CWALT 2005-57CB Pros. Sup. S-33.

(c) In the "Occupancy Types" table, Countrywide and CWALT stated that 84.52% of the mortgage loans in loan group 3 were secured by a "Primary Residence" 9.34% by an "Investment Property," and 6.14% by a "Secondary Residence." CWALT 2005-57CB Pros. Sup. S-33.

(d) In "The Mortgage Pool" section, Countrywide and CWALT presented a table entitled "Occupancy Types." This table divided the mortgage loans in loan group 4 into the categories "Primary Residence," "Investment Property," and "Secondary Residence." The table made untrue and misleading statements about the number of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance outstanding in each of these categories. CWALT 2005-57CB Pros. Sup. S-40.

(e) In the "Occupancy Types" table, Countrywide stated that 85.83% of the mortgage loans in loan group 4 were secured by a "Primary Residence," 7.12% by an "Investment Property," and 7.06% by a "Secondary Residence." CWALT 2005-57CB Pros. Sup. S-40.

Item 96. Details of properties that were stated to be owner-occupied, but were not:

- (a) Number of loans on which the owner of the property instructed tax authorities to send property tax bills to him or her at a different address: 287
- (b) Number of loans on which the owner of the property could have, but did not, designate the property as his or her homestead: 358
- (c) Number of loans on which the owner of the property owned three or more properties: 24
- (d) Eliminating duplicates, number of loans about which one or more of statements (a) through (c) is true: 589

Item 99. Untrue or misleading statements about the underwriting standards of the originators of the mortgage loans:

On pages S-43 through S-48 of the prospectus supplement, Countrywide made statements about the underwriting guidelines of Countrywide Home Loans, Inc. All of those statements are incorporated herein by reference. In particular, Countrywide stated that:

- (a) "Exceptions to Countrywide Home Loans' underwriting guidelines may be made if compensating factors are demonstrated by a prospective borrower." CWALT 2005-57CB Pros. Sup. S-44.

(b) "Countrywide Home Loans' underwriting standards are applied by or on behalf of Countrywide Home Loans to evaluate the prospective borrower's credit standing and repayment ability and the value and adequacy of the mortgaged property as collateral." CWALT 2005-57CB Pros. Sup. S-44.

Item 106. Early payment defaults:

- (a) Number of the mortgage loans that suffered EPDs: 13
- (b) Percent of the mortgage loans that suffered EPDs: 0.3%
- (c) Percent of all securitized, non-agency prime (including Alt-A) mortgage loans made at the same time as the loans in the collateral pool that experienced EPDs: 0.18%

Item 107. 90+ days delinquencies:

- (a) Number of the mortgage loans that suffered 90+ days delinquencies: 600
- (b) Percent of the mortgage loans that suffered 90+ days delinquencies: 14.2%
- (c) Percent of all securitized, non-agency prime (including Alt-A) mortgage loans made at the same time as the loans in the collateral pool that suffered 90+ days delinquencies: 16.5%

Item 108. 30+ days delinquencies in this securitization:

- (a) Number of the mortgage loans that were 30+ days delinquent on March 31, 2010: 666
- (b) Percent of the mortgage loans that were 30+ days delinquent on March 31, 2010: 15.7%
- (c) Percent of all mortgage loans in the United States that were 30+ days delinquent on March 31, 2010: 14.7%

Item 117. Statements about the ratings of the certificate(s) that the Bank purchased:

On pages S-3 and S-104 of the prospectus supplement, Countrywide Home Loans, Inc. and CWALT made statements about the ratings assigned to the certificates issued in this securitization. Countrywide Home Loans, Inc. and CWALT stated that the Bank's certificate was

1 rated Aaa by Moody's Investors Service, Inc. and AAA by Fitch Ratings. These were the highest
2 ratings available from these two rating agencies.

3 Countrywide Home Loans, Inc. and CWALT also stated that: "It is a condition to the
4 issuance of the senior certificates . . . that they be rated AAA by Fitch Ratings, Inc. ('Fitch') and
5 Aaa by Moody's Investors Service, Inc. ('Moody's')." CWALT 2005-57CB Pros. Sup. S-104.
6

7 **Item 120. Summary of loans about which the Defendants made untrue or misleading
8 statements:**

- 9 (a) Number of loans whose LTVs were materially understated: 1,368
- 10 (b) Number of loans in which the owner's equity was reduced by 5% or more by
11 undisclosed additional liens: 1,604
- 12 (c) Number of loans that suffered EPDs: 13
- 13 (d) Number of loans in which the properties were stated to be owner-occupied
14 but were not: 589
- 15 (e) Eliminating duplicates, number of loans about which the Defendants made
16 untrue or misleading statements: 2,642
- 17 (f) Eliminating duplicates, percent of loans about which the Defendants made
18 untrue or misleading statements: 62.4%
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SCHEDULE 78 TO THE AMENDED COMPLAINT

To the extent that this Schedule is incorporated by reference into allegations in the complaint, those allegations are made against Defendants Countrywide, CWALT, and Countrywide Financial Corporation.

Item 44. Details of trust and certificate(s).

(a) **Dealer that sold the certificate(s) to the Bank:** Countrywide.

(b) **Description of the trust:** Alternative Loan Trust, Mortgage Pass-Through Certificates, Series 2005-36 was a securitization in June 2005 of 2,097 mortgage loans, in four groups. The mortgage loans in the collateral pool of this securitization were originated or acquired by Countrywide Home Loans, Inc. CWALT 2005-36 Pros. Sup. S-5, S-19, and S-63.

(c) **Description of the certificate(s) that the Bank purchased:** Countrywide offered and sold to the Bank a senior certificate in this securitization, in tranche 4-A-1, for which the Bank paid \$92,112,000 plus accrued interest on June 24, 2005.

(d) **Ratings of the certificate(s) when the Bank purchased them:**

Moody's - Aaa; Standard & Poor's - AAA.

(e) **Current ratings of the certificate(s):**

Moody's - B3; Standard & Poor's - AAA.

(f) **URL of prospectus supplement for this securitization:**

A true copy of the prospectus supplement for this securitization is available at http://www.sec.gov/Archives/edgar/data/1269518/000089109205001122/e22080_424b5.txt.

(g) **Registration statement pursuant or traceable to which the certificate(s) were issued:**

Certificates in this trust, including the certificate that the Bank purchased, were issued pursuant or traceable to a registration statement filed by CWALT, Inc. with the SEC on form S-3

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on April 21, 2005. Annexed to the registration statement was a prospectus. The prospectus was amended from time to time by prospectus supplements whenever a new series of certificates was issued pursuant or traceable to that registration statement.

Item 52. Untrue or misleading statements about the LTVs of the mortgage loans:

In the prospectus supplement, Countrywide and CWALT made the following statements about the LTVs of the mortgage loans in the collateral pool of this securitization.

(a) "No mortgage loan will have had a Loan-to-Value Ratio at origination of more than 100.00%." CWALT 2005-36 Pros. Sup. S-22.

(b) In the section of the prospectus supplement entitled "The Mortgage Pool," Countrywide and CWALT presented tables of statistics about the mortgage loans in the collateral pool. CWALT 2005-57CB Pros. Sup. S-24 to S-61. Each table focused on a certain characteristic of the loans (for example, current principal balance) and divided the loans into categories based on that characteristic (for example, loans with current principal balances of \$0.01 to \$50,000, \$50,000.01 to \$100,000, \$100,000.01 to \$150,000, etc.). Each table then presented various data about the loans in each category. Among these data was the "Weighted Average Original Loan-to-Value Ratio." There were 19 such tables in "The Mortgage Pool" section for the loans in loan group 1. In each table, the number of categories into which the loans were divided ranged from one to 26. Thus, in "The Mortgage Pool" section, Countrywide and CWALT made hundreds of statements about the original LTV of the loans in loan group 1. CWALT 2005-36 Pros. Sup. S-24 to S-32.

(c) "As of the cut-off date, the weighted average original Loan-to-Value Ratio of the Mortgage Loans in loan group 1 was approximately 75.82%." CWALT 2005-36 Pros. Sup. S-27.

(d) In "The Mortgage Pool" section, Countrywide and CWALT presented similar tables of statistics about the mortgage loans in loan group 2. In these tables, Countrywide and

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1 CWALT similarly made hundreds of statements about the original LTVs of the loans in Loan
2 Group 2. CWALT 2005-36 Pros Sup. S-33 to S-41.

3 (e) "As of the cut-off date, the weighted average original Loan-to-Value Ratio of the
4 Mortgage Loans in loan group 2 was approximately 75.87%." CWALT 2005-36 Pros. Sup. S-36.

5 (f) In "The Mortgage Pool" section, Countrywide and CWALT presented similar
6 tables of statistics about the mortgage loans in loan group 3. In these tables, Countrywide and
7 CWALT similarly made hundreds of statements about the original LTVs of the loans in loan
8 group 3. CWALT 2005-36 Pros. Sup. S-42 to S-51.

9 (g) "As of the cut-off date, the weighted average original Loan-to-Value Ratio of the
10 Mortgage Loans in loan group 3 was approximately 75.97%." CWALT 2005-36 Pros. Sup. S-45.

11 (h) In "The Mortgage Pool" section, Countrywide and CWALT presented similar
12 tables of statistics about the mortgage loans in loan group 4. In these tables, Countrywide and
13 CWALT similarly made hundreds of statements about the original LTVs of the loans in loan
14 group 4. CWALT 2005-36 Pros. Sup. S-52 to S-61.

15 (i) "As of the cut-off date, the weighted average original Loan-to-Value Ratio of the
16 Mortgage Loans in loan group 4 was approximately 72.68%." CWALT 2005-36 Pros. Sup. S-55.

Item 62. Details of the results of the AVM analysis:

Number of loans	2,097
Number of properties on which there was enough information for the model to determine a true market value	870
Number of loans on which the stated value was 105% or more of the true market value as reported by the model	466
Aggregate amount by which the stated values of those properties exceeded their true market values as reported by the model	\$38,033,593
Number of loans on which the stated value was 95% or less of the true market value as reported by the model	117
Aggregate amount by which the true market values of those properties exceed their stated values	\$10,426,900
Number of loans with LTVs over 100%, as stated by Defendants	0
Number of loans with LTVs over 100%, as determined by the model	74
Weighted-average LTV, as stated by Defendants (group 4)	72.68%
Weighted-average LTV, as determined by the model (group 4)	81.43%

Item 65. Evidence from subsequent sales of refinanced properties:

Of the 2,097 mortgage loans in the collateral pool, 1,120 were taken out to refinance, rather than to purchase, properties. For those 1,120 loans, the value (denominator) in the LTV was an appraised value rather than a sale price. Of those 1,120 properties, 40 were subsequently sold for a total of approximately \$13,394,642. The total value ascribed to those same properties in the LTV data reported in the prospectus supplements and other documents sent to the Bank was \$17,701,500. Thus, those properties were sold for 75.7% of the value ascribed to them, a difference of 24.3%. This difference cannot be accounted for by declines in house prices in the areas in which those properties were located.

Item 71. Undisclosed additional liens:

- (a) Minimum number of properties with additional liens: 133
- (b) Total reduction in equity from additional liens: \$11,306,447
- (c) Weighted-average reduction in equity from additional liens: 67.5%

Item 82. Untrue or misleading statements about compliance with USPAP:

In the prospectus supplement, Countrywide Home Loans, Inc. and CWALT made the following statement about the appraisals of the properties that secured the mortgage loans originated by Countrywide Home Loans, Inc. "All appraisals are required to conform to Fannie Mae or Freddie Mac appraisal standards then in effect." CWALT 2005-36 Pros. Sup S-45.

Item 88. Untrue or misleading statements about owner-occupancy of the properties that secured the mortgage loans:

In the prospectus supplement, Countrywide and CWALT made the following statements about the occupancy status of the properties that secured the mortgage loans in the collateral pool of this securitization.

(a) In "The Mortgage Pool" section of the prospectus supplement, described in Item 52, Countrywide and CWALT presented a table entitled "Occupancy Types." This table divided the mortgage loans in loan group 1 into the categories "Primary Residence," "Investment Property," and "Secondary Residence." The table made untrue and misleading statements about the number of mortgage loans, the aggregate principal balance outstanding, and the percent of aggregate principal balance outstanding in each of these categories. CWALT 2005-36 Pros. Sup. S-28.

(b) In the "Occupancy Types" table, Countrywide and CWALT stated that 82.34% of the mortgage loans in loan group 1 were secured by a "Primary Residence," 13.21% by an "Investment Property," and 4.45% by a "Secondary Residence." CWALT 2005-36 Pros. Sup. S-28.

(c) In "The Mortgage Pool" section, Countrywide and CWALT presented another table entitled "Occupancy Types." This table divided the mortgage loans in loan group 2 into the categories "Primary Residence," "Investment Property," and "Secondary Residence." The table made untrue and misleading statements about the number of mortgage loans, the aggregate

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1 principal balance outstanding, and the percent of aggregate principal balance outstanding in each
2 of these categories. CWALT 2005-36 Pros. Sup. S-37.

3 (d) In the "Occupancy Types" table, Countrywide and CWALT stated that 86.24% of
4 the mortgage loans in loan group 2 were secured by a "Primary Residence," 9.82% by an
5 "Investment Property," and 3.93% by a "Secondary Residence." CWALT 2005-36 Pros. Sup. S-
6 37.

7
8 (e) In "The Mortgage Pool" section, Countrywide and CWALT presented another
9 table entitled "Occupancy Types." This table divided the mortgage loans in loan group 3 into the
10 categories "Primary Residence," "Investment Property," and "Secondary Residence." The table
11 made untrue and misleading statements about the number of mortgage loans, the aggregate
12 principal balance outstanding, and the percent of aggregate principal balance outstanding in each
13 of these categories. CWALT 2005-36 Pros. Sup. S-46.

14
15 (f) In the "Occupancy Types" table, Countrywide and CWALT stated that 91.71% of
16 the mortgage loans in loan group 3 were secured by a "Primary Residence," 4.43% by an
17 "Investment Property," and 3.86% by a "Secondary Residence." CWALT 2005-36 Pros. Sup. S-
18 46.

19
20 (g) In "The Mortgage Pool" section, Countrywide and CWALT presented another
21 table entitled "Occupancy Types." This table divided the mortgage loans in loan group 4 into the
22 categories "Primary Residence," "Investment Property," and "Secondary Residence." The table
23 made untrue and misleading statements about the number of mortgage loans, the aggregate
24 principal balance outstanding, and the percent of aggregate principal balance outstanding in each
25 of these categories. CWALT 2005-36 Pros. Sup. S-56.

26
27 (h) In the "Occupancy Types" table, Countrywide and CWALT stated that 91.66% of
28 the mortgage loans in Loan Group 4 were secured by a "Primary Residence," 5.63% by an

1 "Investment Property," and 2.71% by a "Secondary Residence." CWALT 2005-36 Pros. Sup. S-
2 56.

3 **Item 96. Details of properties that were stated to be owner-occupied, but were not:**

- 4 (a) **Number of loans on which the owner of the property instructed tax**
5 **authorities to send property tax bills to him or her at a different address: 108**
6 (b) **Number of loans on which the owner of the property could have, but did not,**
7 **designate the property as his or her homestead: 196**
8 (c) **Number of loans on which the owner of the property owned three or more**
9 **properties: 11**
10 (d) **Eliminating duplicates, number of loans about which one or more of**
11 **statements (a) through (c) is true: 260**

12 **Item 99. Untrue or misleading statements about the underwriting standards of the**
13 **originators of the mortgage loans:**

14 On pages S-63 through S-68 of the prospectus supplement, Countrywide and CWALT
15 made statements about the underwriting guidelines of Countrywide Home Loans, Inc. All of those
16 statements are incorporated herein by reference. In particular, Countrywide and CWALT stated
17 that:

18 (a) "Exceptions to Countrywide Home Loans' underwriting guidelines may be made
19 if compensating factors are demonstrated by a prospective borrower." CWALT 2005-36 Pros.
20 Sup. S-64.

21 (b) "Countrywide Home Loans' underwriting standards are applied by or on behalf of
22 Countrywide Home Loans to evaluate the prospective borrower's credit standing and repayment
23 ability and the value and adequacy of the mortgaged property as collateral." CWALT 2005-36
24 Pros. Sup. S-64.

25 **Item 106. Early payment defaults:**

- 26 (a) **Number of the mortgage loans that suffered EPDs: 13**
27 (b) **Percent of the mortgage loans that suffered EPDs: 0.6%**
28

- 1 (c) Percent of all securitized, non-agency prime (including Alt-A) mortgage loans
2 made at the same time as the loans in the collateral pool that experienced
3 EPDs: 0.18%
- 4 Item 107. 90+ days delinquencies:
- 5 (a) Number of the mortgage loans that suffered 90+ days delinquencies: 581
- 6 (b) Percent of the mortgage loans that suffered 90+ days delinquencies: 27.7%
- 7 (c) Percent of all securitized, non-agency prime (including Alt-A) mortgage loans
8 made at the same time as the loans in the collateral pool that suffered 90+
9 days delinquencies: 16.5%
- 10 Item 108. 30+ days delinquencies in this securitization:
- 11 (a) Number of the mortgage loans that were 30+ days delinquent on March 31,
12 2010: 558
- 13 (b) Percent of the mortgage loans that were 30+ days delinquent on March 31,
14 2010: 26.6%
- 15 (c) Percent of all mortgage loans in the United States that were 30+ days
16 delinquent on March 31, 2010: 14.7%
- 17 Item 117. Statements about the ratings of the certificate(s) that the Bank purchased:
- 18 On pages S-3 to S-4 and S-124 of the prospectus supplement, Countrywide Home Loans,
19 Inc. and CWALT made statements about the ratings assigned to the certificates issued in this
20 securitization. Countrywide Home Loans, Inc. and CWALT stated that the Bank's certificate was
21 rated Aaa by Moody's Investors Service, Inc. and AAA by Standard & Poor's Rating Services.
22 These were the highest ratings available from these two rating agencies.
- 23 Countrywide Home Loans, Inc. and CWALT also stated: "It is a condition to the issuance
24 of the senior certificates . . . that they be rated AAA by Fitch Ratings, Inc. ('Fitch') and Aaa by
25 Moody's Investors Service, Inc. ('Moody's')." CWALT 2005-36 Pros. Sup. S-124.
- 26 Item 120. Summary of loans about which the Defendants made untrue or misleading
27 statements:
- 28 (a) Number of loans whose LTVs were materially understated: 466

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- 1 (b) Number of loans in which the owner's equity was reduced by 5% or more by
- 2 undisclosed additional liens: 133
- 3 (c) Number of loans that suffered EPDs: 13
- 4 (d) Number of loans in which the properties were stated to be owner-occupied
- 5 but were not: 260
- 6 (e) Eliminating duplicates, number of loans about which the Defendants made
- 7 untrue or misleading statements: 655
- 8 (f) Eliminating duplicates, percent of loans about which the Defendants made
- 9 untrue or misleading statements: 31.2%

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